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BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

GOVERNMENT DOCUMENTS DEPT
JUL - 6 2010
SAN FRANCISCO PUBLIC LIBRARY

Date: **Tuesday, July 13, 2010**

Time: **4:00 p.m.**

Location: **Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102**

Subject: **Hearing of persons interested in or objecting to the decision of the Planning Commission's June 3, 2010, certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0946E, through its Motion No. 18096, for a proposed Candlestick Point-Hunters Point Shipyard Phase II Development Plan located at Candlestick Point and Hunters Point Shipyard (District 10) (Appellants: Jaron Browne on behalf of People Organized to Win Employment Rights (POWER), Filed June 21, 2010; Arthur Feinstein on behalf of Sierra Club-SF Bay Chapter, Jennifer Clary on behalf of SF Tomorrow, Michael Lynes on behalf of Golden Gate Audubon Society and Linda J. Shaffer on behalf of Yerba Buena Chapter, Filed June 21, 2010; James M. Birkelund of Law Offices of James Birkelund, Filed June 22, 2010; and Stephan C. Volker of Law Offices of Stephan C. Volker, Filed June 23, 2010).**

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written

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comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information will be available for public review on Thursday, July 8, 2010.

Angela Calvillo
Clerk of the Board

DATED: July 2, 2010

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, July 13, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT DOCUMENTS DEPT

JUL - 9 2010

SAN FRANCISCO PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos	Wednesday 1:30 PM
Budget and Finance Sub-Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Daly	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfbos.org/meetings

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the June 8, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 24

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

1. 100095 **[Citywide Coordination of Information and Communications Technology]**
Sponsor: Chiu
Ordinance amending Department of Technology and Committee on Information Technology responsibilities, establishing the position and duties of the Chief Information Officer, eliminating the Telecommunications Commission, adding San Francisco Administrative Code Chapter 22A, Sections 22A.1, 22A.2, 22A.3, 22A.4, 22A.5, 22A.6 and 22A.7, and deleting San Francisco Administrative Code Sections 3.24, 3.25, 11.85, 11.86,11.87, 11.88 and 11.89 to implement these changes.

06/29/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 100704 [Emergency Medical Technician Certificate Fee Increase]
Sponsor: Mayor
Ordinance amending the San Francisco Business and Tax Regulations Code, Article 2, by amending Section 249.8 to increase fees for Emergency Medical Technician certificates, and making environmental findings.

06/29/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 100705 [Mayor's Office of Housing Administrative Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Administrative Code, Chapter 8, by adding Section 8.43 to establish fees for applications to and subordination requests from the Mayor's Office of Housing.

06/29/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 100707 [Refuse Collection Service Liens and Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Heath Code, Article 6, by amending Sections 291.7, 291.13, 291.14, and 293.3, to allow the Department of Public Health to recover its full costs of processing residential and commercial liens for refuse collection services, provide a process for the Controller to adjust fees annually based on program costs, eliminate the monetary cap on the continuing appropriation account, clarify lien hearing procedures, and add an employee class to enforce Sections 293 through 293.2.

06/29/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 100708 [Golden Gate Park Concourse Underground Parking Facility Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.35 to increase the fees at the Golden Gate Park Concourse Underground Parking Facility, and making environmental findings.

06/29/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 100709 [Police Department Permit Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Police Code, Article 1, by amending Section 2.1 to include a definition of "service fee" and amending Sections 2.26 and 2.27 to increase or establish certain Police Department permit filing, service and license fees and to delete duplicative or obsolete language, and making environmental findings.

06/29/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 100711 **[Establishing a Fee to Regulate Revenue Control Equipment at Parking Stations]**
Sponsor: Mayor
Ordinance amending the Business and Tax Regulation Code, Article 22, by adding Sections 2219, 2219.5, 2219.6, 2219.7, 2219.8, 2219.9, 2219.10 and 2219.11, to impose a fee on all parking stations that are subject to the requirements in Article 22 to recover administrative and enforcement costs.

06/29/2010, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 100713 **[Fire Department Services Fees]**
Sponsor: Mayor
Ordinance amending the San Francisco Fire Code, Appendix Chapter 1, Section 112, by amending Sections 112.8, 112.15, and Table 112.B to increase fees for certain Fire Department services, and making environmental findings.

06/29/2010, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 100714 **[Fire Department Emergency Medical Services Fees]**
Sponsor: Mayor
Ordinance amending the San Francisco Health Code, Article 3, by amending Section 128.1 to increase fees for Fire Department emergency medical services and to update the language regarding fee changes in subsequent fiscal years, and making environmental findings.

06/29/2010, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 100717 **[Registration Fees for Inspecting and Testing Commercial Weighing and Measuring Devices]**
Sponsor: Mayor
Ordinance amending the San Francisco Administrative Code, Chapter 1, by amending Section 1.13-5 to update registration fees for inspecting and testing commercial devices as authorized by California Business and Professions Code Sec. 12210.5 and set by the California Department of Food and Agriculture, and deleting obsolete language.

06/29/2010, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 100718 **[Structural Pest Control Registration and Fees]**
Sponsor: Mayor
Ordinance amending the San Francisco Administrative Code, Chapter 1, by amending Section 1.13-1 to establish reasonable registration fees for structural pest control businesses as authorized by the California Food and Agricultural Code Sections 15204 and 15204.5 and set by the California Department of Food and Agriculture, and deleting obsolete language.

06/29/2010, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 100719 [Patient Rates]
Sponsor: Mayor
Ordinance amending the San Francisco Health Code, Article 3, by amending Section 128 to set patient rates and other services provided by the Department of Public Health, effective July 1, 2010.

06/29/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 100720 [Food Permit Requirements and Fees for Caterers]
Sponsor: Mayor
Ordinance amending San Francisco Health Code, Article 8, by amending Section 451, and amending San Francisco Business and Tax Regulations Code, Article 2, by amending Section 249.1, and adding Section 249.22 to update definitions and add fees and permitting requirements for caterers, and provide a mechanism for the Controller's Office annually to adjust fees to track program costs.

06/29/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 100721 [Above-ground Storage Tank Fees]
Sponsor: Mayor
Ordinance amending San Francisco Health Code, Article 21, by amending Sections 1102 and 1176, by adding above-ground storage tank definitions and fees.

06/29/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. 100723 [Building Code – Unsafe Building, Printing, and Reproduction Fees]
Sponsor: Mayor
Ordinance amending the Building Code, Chapter 1A, to amend Section 102A.3 to assess a monthly monitoring fee for specified unsafe buildings; Table 1A-D concerning inspector fees; Table 1A-K concerning violation monitoring fees; and Table 1A-L concerning printing and document reproduction fees; and adopting environmental findings.

06/29/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 100741 **[Accept and Expend Grant - Human Service Agency's Temporary Assistance to Needy Families Emergency Contingency Fund - Not to Exceed $153,741,681]**

Sponsor: Mayor

Ordinance amending the FY2010-2011 Annual Salary Ordinance to reflect the addition of temporary salaries of $22,698,000 and authorizing the Human Services Agency to retroactively accept and expend a grant not to exceed the amount of $52,038,115 from the United States Department of Health and Human Services, as part of the American Recovery and Reinvestment Act of 2009, to support the Mayor's Jobs NOW Program, and authorizing the Human Services Agency to accept and expend an additional grant not to exceed $101,703,566 pending final approval by the U.S. Congress to extend federal funding beyond September 30, 2010, for a total amount not to exceed $153,741,681; placing $101,703,566 on Controller's reserve.

06/29/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Dufty

17. 100323 **[Liquor License Transfer - 161 Erie Street]**

Resolution determining that the transfer of a Type 48 On-Sale General Public Premises Liquor License from 517 Clement Street to 161 Erie Street (District 8) to Peter Gilkshtern and Jeff Whitmore for 1six1, Inc., dba The Public Works, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

18. 100684 **[Liquor License - 1957 Union Street]**

Resolution determining that the issuance of a Type 20 On-Sale Beer and Wine Public Premises Liquor License to Melissa Gisler Modanlou, for Spuntino di Ottimista, located at 1957 Union Street (District 2), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

19. 100686 **[Liquor License - 1455 Van Ness Avenue]**

Resolution determining that the issuance of a Type 20 Off-Sale Beer and Wine Liquor License to Parisima and Amanzio Tamanti for Tosco Wines, Inc. dba Vino Nostro, located at 1455 Van Ness Avenue (District 2), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

20. 100806 [Accept and Expend Grant - California Colon Cancer Control Health Program - $320,367]

Sponsors: Dufty; Chu

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the California Department of Public Health in the amount of $320,367 to fund the California Colon Cancer Control Health Program for the period May 1, 2010, through June 30, 2013.

Question: Shall this Resolution be ADOPTED?

21. 100807 [Accept and Expend Grant - President's Emergency Plan for Aid - $200,331]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $200,331 from the University of California San Francisco to assist with a project entitled "President's Emergency Plan for Aid" for the period April 1, 2010, through March 31, 2011.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

22. 100689 [Settlement of Lawsuit - Nelson A. Estival - $57,500]

Ordinance authorizing settlement of the lawsuit filed by Nelson A. Estival against the City and County of San Francisco for $57,500; the lawsuit was filed on July 24, 2008, in San Francisco Superior Court, Case No. CGC 09-477871, entitled Estival v. City and County of San Francisco, et al. (City Attorney)

06/29/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

23. 100690 [Settlement of Lawsuit - Anthony Landry - $70,000]

Ordinance authorizing settlement of the lawsuit filed by Anthony Landry against the City and County of San Francisco for $70,000; the lawsuit was filed on July 17, 2008, in the San Francisco Superior Court, Case No. CGC 08-744565, entitled Anthony Landry v. City and County of San Francisco. (City Attorney)

06/29/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

24. 100691 **[Settlement of Lawsuit - Bayshore Sanitary District - $407,000]**
Ordinance authorizing settlement of the lawsuit entitled Bayshore Sanitary District v. City and County of San Francisco, et al., filed on November 21, 2007, in San Francisco Superior Court, Case No. 07-469434. Pursuant to the proposed settlement, the City will execute a revenue refund adjustment for the Bayshore Sanitary District's sewer services billings in the amount of $407,000. In return, the Bayshore Sanitary District will implement measures to ensure that future errors in measuring wastewater flow are promptly detected and corrected and limit its recovery of any overcharges due to equipment error in the future. (City Attorney)

06/29/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd,

25. 100581 **[General Obligation Bonds - Earthquake Safety Retrofit Deferred Loan and Grant Program General Obligation Bonds 2010 - Estimated Cost $39,140,000]**
Sponsor: Mayor
Resolution determining and declaring that the public interest and necessity demand the construction, improvement and seismic retrofitting of multi-story wood framed affordable housing soft-story buildings for earthquake safety funded by the City or other qualified governmental housing finance agency, or owned by private third-parties and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of $39,140,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34.

06/15/2010; CONTINUED.

06/29/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

26. 100557 [Assessment Appeals Board - Increasing Administrative Processing Fees, Adding Certain Waivers, and Changing to an Hourly Rate for Findings of Fact Fees]

Sponsor: Avalos

Ordinance amending Administrative Code Chapter 2B "Assessment Appeals Boards," by amending Section 2B.9 to increase the administrative processing fee per application from $30 to $60 by adding a fee waiver for any property assessed on the roll at a value of $7,500 or less, and by adding a fee waiver for any property where there is a difference of $7,500 or less between the taxpayer's opinion of value on the application and the subject property's assessed value on the roll; and by amending Section 2B.11 to change the findings of fact fees from a sliding scale of $100 to $1,000 to an hourly rate of $215 with a maximum of 30 hours billed.

06/29/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

06/29/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

27. 100710 [Increasing Street Artist Certificate Fee]

Sponsor: Mayor

Ordinance amending the San Francisco Police code, Article 24, by amending Section 2404.1 to increase the fee for a Street Artist Certificate and making environmental findings.

06/29/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2010, nor later than August 1, 2010.)

28. 100701 **[Proposed Consolidated Budget and Annual Appropriation Ordinance, FYs Ending June 30, 2011, and June 30, 2012]**
Sponsor: Mayor
Proposed Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the FYs ending June 30, 2011, and June 30, 2012.

(Supervisor Elsbernd dissented in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 100747 **[Proposed Annual Salary Ordinance, FY Ending June 30, 2011, for all Departments, and for FY Ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission]**
Sponsor: Mayor
Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FY ending June 30, 2011, for all departments and for FY ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Supervisor Elsbernd dissented in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Campos

30. 100715 **[Fire Department Cost Recovery for Vehicle Incidents]**
Sponsor: Mayor
Ordinance amending the San Francisco Fire Code, Appendix Chapter 1, by adding Section 112.22 to authorize the Fire Department to recover costs incurred removing vehicle contents from City streets and highways after vehicle incidents.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

31. 100725 [Establishing Automated Point-of-Sale Systems Registration, Inspection and Reinspection Requirements and Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Administrative Code by adding Chapter 115, Sections 115 through 115.8, to establish registration, inspection and reinspection requirements and fees for automated point-of-sale (scanner) systems to ensure compliance with California Business and Professions Code Sections 120242, 12024.6, and 12103.5, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 100727 [Redevelopment Agency Budget and Bonds FY2010-2011 - Not to Exceed $64,000,000]
Sponsor: Mayor
Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for FY2010-2011 and approving the Issuance by the Redevelopment Agency of Bonds in an aggregate principal amount of not to exceed $64,000,000 to finance a portion of redevelopment activities described in such approved Budget for FY2010-2011.

Question: Shall this Resolution be ADOPTED?

33. 100752 [Approval of Contract with Siemens Medical Solutions USA, Inc. - $33,820,487]
Sponsor: Chiu
Resolution authorizing the San Francisco Department of Public Health, to enter into a contract with Siemens Medical Solutions USA, Inc., for the continued licensing and maintenance of proprietary Siemens Applications for the initial term of July 1, 2010, through June 30, 2017, with one option to extend the initial term for an additional twenty four months ending June 30, 2019.

Question: Shall this Resolution be ADOPTED?

34. 100763 [Supporting the California Jobs Budget]
Sponsor: Chiu
Resolution supporting the Assembly's Democratic budget proposal, also known as the California Jobs Budget.

06/15/2010; REFERRED to the Budget and Finance Committee.

Question: Shall this Resolution be ADOPTED?

35. 100813 [Agreement with the San Francisco County Transportation Authority Relating to Yerba Buena Island Ramps - Not to Exceed $18,830,000]
Sponsor: Mayor
Resolution approving a Third Amendment to the Memorandum of Agreement between the Treasure Island Development Authority and the San Francisco County Transportation Authority for project management services and consultant services for the preparation of a project report and environmental document for the Yerba Buena Island Ramps to amend the scope of work and increase the not to exceed budget to $18,830,000.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Dufty

36. 100671 **[Smoking Prohibition Signage Requirement]**
Sponsor: Mar
Ordinance amending San Francisco Health Code Section 1009.22 to clarify signage language requirement.

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 100758 **[Public Works Code - Banners in the North of Market/Tenderloin Community Benefit District]**
Sponsor: Daly
Ordinance amending Public Works Code, Article 5.7, Section 184.78 to allow the posting of banners in the North of Market/Tenderloin Community Benefit District as defined herein and adopting environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Daly

38. 100808 **[Memorandum of Understanding, Amendment No. 2 - Municipal Executives' Association Police]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Police by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

Question: Shall this Ordinance be PASSED ON FIRST READING?

39. 100810 **[Memorandum of Understanding, Amendment No. 3 - San Francisco Firefighters, Local 798, (Unit 2)]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 3 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 2, by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

(Supervisor Daly dissented in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

40. 100811 [Memorandum of Understanding, Amendment No. 2 - San Francisco Police Officers' Association (Units P-1 & P-2A)]
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Units P-1 & P-2A), by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

(Supervisor Daly dissented in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

41. 100812 [Memorandum of Understanding, Amendment No. 2 - San Francisco Police Officers' Association (Unit P-2B)]
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Unit P-2B), by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

(Supervisor Daly dissented in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. 100866 [Memorandum of Understanding, Amendment No. 2 - Freight Checkers, Clerical Employees and Helpers, Teamsters Local 856 (Supervising Registered Nurses, Unit 11.B)]
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 2 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees and Helpers, Teamsters Local 856 (Supervising Registered Nurses, Unit 11.B.), by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

Question: Shall this Ordinance be PASSED ON FIRST READING?

43. 100867 [Memorandum of Understanding, Amendment No. 2 - Municipal Executives' Association Fire]
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Fire by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

(Supervisor Daly dissented in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

44. 100868 **[Memorandum of Understanding - Service Employees International Union, Local 1021 Staff and Per Diem Nurses]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021 Staff and Per Diem Nurses, to be effective July 1, 2010, through June 30, 2012.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Mar, Daly

45. 100809 **[Memorandum of Understanding, Amendment No. 3 - San Francisco Firefighters, Local 798, (Unit 1)]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 3 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 1, by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

46. 100629 **[San Francisco Affordable Housing Fund]**
Sponsor: Daly
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.127 to: (1) establish baseline appropriation and make an annual appropriation of the equivalent of 33% of any available general fund budget surplus for the next fifteen (15) years to support affordable housing programs; (2) require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; (3) affirm City policy urging the Redevelopment Agency to use at least 50% of its tax increment funds for low and moderate income housing; and (4) set an expiration date of July 1, 2026.

(Supervisor Alioto-Pier dissented in committee.)

Question: Shall this Charter Amendment be SUBMITTED?

47. 100630 [Requiring the Mayor to Appear Personally at One Regularly-Scheduled Meeting of the Board of Supervisors Each Month to Engage in Formal Policy Discussions with Members of the Board]

Sponsor: Daly

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 2.103 and 3.100, to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board and to authorize the Board to adopt rules and guidelines.

(Supervisor Alioto-Pier dissented in committee.)

Question: Shall this Charter Amendment be SUBMITTED?

48. 100636 [Establishment of Rent Board in Charter; Appointment and Removal of Members and Alternate Members]

Sponsors: Campos; Avalos, Daly, Mar, Maxwell, Mirkarimi and Chiu

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 4.136, and amending Section 15.105. Section 4.136 would be added to: establish the Residential Rent Stabilization and Arbitration Board (Rent Board) in the Charter; authorize the Board of Supervisors to appoint three members and three alternate members, authorize the Mayor to appoint three members and three alternate members, and authorize the Board of Supervisors President and the Mayor to jointly appoint one member and one alternate member; and provide that the Rent Board will consist of three tenants, two landlords, and two neutral members, with an alternate for each member. Charter Section 15.105, which enumerates commissions whose members are subject to removal only for official misconduct, would be amended to include Rent Board members and alternate members.

(Supervisor Alioto-Pier dissented in committee.)

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 100872, approved June 29, 2010.)

49. 100895 **[Committee of the Whole - Hearing on Proposed Amendments to the Bayview Hunters Point and Hunters Point Shipyard Redevelopment Plans]**
Hearing of persons interested in or objecting to proposed Ordinances approving and adopting an amendment to the Redevelopment Plan for the Bayview Hunters Point and Hunters Point Shipyard Redevelopment Project Areas; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1. (Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report

(See Committee Reports Section, File Nos. 100658 and 100659.)

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm*

50. **100861** **[Public Hearing - Appeal of Certification of Final Environmental Impact Report - Candlestick Point - Hunters Point Shipyard Phase II Development Plan]**
Hearing of persons interested in or objecting to the decision of the Planning Commission's June 3, 2010, certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0946E, through its Motion No. 18096, for a proposed Candlestick Point - Hunters Point Shipyard Phase II Development Plan located at Candlestick Point and Hunters Point Shipyard (District 10) (Appellants: Jaron Browne on behalf of POWER, Filed June 21, 2010; Arthur Feinstein on behalf of Sierra Club-SF Bay Chapter, Jennifer Clary on behalf of SF Tomorrow, Michael Lynes on behalf of Golden Gate Audubon Society and Linda J. Shaffer on behalf of Yerba Buena Chapter, Filed June 21, 2010; James M. Birkelund of Law Offices of James Birkelund, Filed June 22, 2010; and Stephan C. Volker of Law Offices of Stephan C. Volker, Filed June 23, 2010).

(Filed June 21-23, 2010, Companion to File Nos. 100862, 100863, 100864)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

51. **100862** **[Affirming Certification of Candlestick Point - Hunters Point Shipyard Phase II Final Environmental Impact Report]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Candlestick Point - Hunters Point Shipyard Phase II Project

Question: Shall this Motion be APPROVED?

52. 100863 **[Reversing Certification of Candlestick Point - Hunters Point Shipyard Phase II Final Environmental Impact Report]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for Candlestick Point - Hunters Point Shipyard Phase II Project.

Question: Shall this Motion be APPROVED?

53. 100864 **[Preparation of Findings to Reverse Certification of Candlestick Point - Hunters Point Shipyard Phase II Final Environmental Impact Report]**
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the Candlestick Point - Hunters Point Shipyard Phase II Project.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

54. 100252 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 100 - 32nd Avenue]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated May 19, 2009, Case No. 2007.0129E, that a project located at 100 - 32nd Avenue is exempt from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Section 15301(e)(1)). The proposal would add a three-story side horizontal addition and would enlarge the existing partial fourth floor at the existing four-story, single-family residence located in an RH-1(D) (Residential, House, Single-Family, Detached) District and a 40-X Height and Bulk District, in Assessor's Block No. 1312, Lot No. 008. (District 2) (Appellant: Stephen M. Williams on behalf of Sanford Garfinkel, other neighbors, and the Lincoln Park Neighborhood Association) (Clerk of the Board)

(Filed March 1, 2010; Companion Measure to File Nos. 100253, 100254, 100255.)

04/13/2010; CONTINUED.

05/11/2010; CONTINUED.

06/08/2010; CONTINUED.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

55. 100253 [Affirming the Exemption Determination for 100 - 32nd Avenue]
Motion affirming the determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

04/13/2010; CONTINUED.

05/11/2010; CONTINUED.

06/08/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

56. 100254 [Reversing the Exemption Determination Issued for 100 - 32nd Avenue]
Motion reversing the determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

04/13/2010; CONTINUED.

05/11/2010; CONTINUED.

06/08/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

57. 100255 [Preparation of Findings Related to the Exemption Determination for the 100 - 32nd Avenue]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

04/13/2010; CONTINUED.

05/11/2010; CONTINUED.

06/08/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

58. 100786 **[Public Hearing - Appeal of Certification of Final Environmental Impact Report - 900 Folsom Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's May 20, 2010, certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0689E, through its Motion No. 18086, for a proposed mixed-use project at 900 Folsom Street, to construct a 9-story, 85-foot tall building with ground and basement level parking, with up to 269 dwelling units, approximately 4,146 square feet of ground floor commercial space along 5th Street, and up to 221 off-street parking spaces (including stackers). The subject property is within the Mixed Use - Residential (MUR) District with a 45-X and 85-X Height and Bulk District, Lot Nos. 009, 018, 048, and 147 in Assessor's Block No. 3732. (District 6) (Appellants: Angelica Cabande on behalf of South of Market Community Action Network (SOMCAN) and Roy Recio on behalf of Manilatown Heritage Foundation).

(Filed June 9, 2010, Companion to File Nos. 100787, 100788, 100789)

06/29/2010; CONTINUED.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

59. 100787 **[Affirming the Certification of the 900 Folsom Street Project Final Environmental Impact Report]**

Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 900 Folsom Street Project. (Clerk of the Board)

06/29/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

60. 100788 **[Reversing the Certification of the 900 Folsom Street Project Final Environmental Impact Report]**

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 900 Folsom Street Project. (Clerk of the Board)

06/29/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

61. 100789 [Preparation of Findings to Reverse Certification of the 900 Folsom Street Project Final Environmental Impact Report]
Motion directing the Clerk of the Board to prepare findings reversing the certification of the Final Environmental Impact Report for the 900 Folsom Street Project. (Clerk of the Board)

06/29/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

62. 100790 [Public Hearing - Appeal of Certification of Final Environmental Impact Report - 260 - 5th Street]
Hearing of persons interested in or objecting to the decision of the Planning Commission's May 20, 2010, certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0690E, through its Motion No. 18087, for a proposed mixed-use project at 260 - 5th Street, to demolish an existing light industrial building on the site and construct a 9-story, 85-foot tall building with a basement level parking garage, creating up to 179 dwelling units, approximately 5,281 square feet of ground floor commercial space along 5th Street, and up to 102 off-street parking spaces (including stackers). The subject property is within the Mixed Use - Residential (MUR) District with an 85-X Height and Bulk District, Lot No. 008 in Assessor's Block No. 3732. (District 6) (Appellants: Angelica Cabande on behalf of South of Market Community Action Network (SOMCAN) and Roy Recio on behalf of Manilatown Heritage Foundation).

(Filed June 9, 2010, Companion to File Nos. 100791, 100792, 100793)

06/29/2010; CONTINUED.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

63. 100791 [Affirming the Certification of the 260 - 5th Street Project Final Environmental Impact Report]
Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 260 - 5th Street Project. (Clerk of the Board)

06/29/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

64. 100792 **[Reversing the Certification of the 260 - 5th Street Project Final Environmental Impact Report]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 260 - 5th Street Project. (Clerk of the Board)

06/29/2010, CONTINUED.

Question: Shall this Motion be APPROVED?

65. 100793 **[Preparation of Findings to Reverse Certification of the 260 - 5th Street Project Final Environmental Impact Report]**
Motion directing the Clerk of the Board to prepare findings reversing the certification of the Final Environmental Impact Report for the 260 - 5th Street Project. (Clerk of the Board)

06/29/2010, CONTINUED.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Special Meeting on Thursday, July 8, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 13, 2010.

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

66. 100634 **[Health Service Board Terms and Elections]**
Sponsor: Elsbernd
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 12.00, to shorten, on a one-time basis, the term of one Health Service Board member from five years to three years, and the term of another Health Service Board member from five years to two years, so that Board terms will expire in pairs in the future and can be filled during the same Board election.

Question: Shall this Charter Amendment be SUBMITTED?

67. 100635 **[Non-Citizen Voting in School Board Elections]**
Sponsors: Chiu; Campos, Mar, Avalos, Mirkarimi, Maxwell, Daly and Dufty
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100 and adding Section 13.111 to authorize San Francisco residents 18 years of age or older who are the parents, legal guardians or caregivers of children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the residents are United States citizens.

Question: Shall this Charter Amendment be SUBMITTED?

The following items will be considered by the Rules Committee at a Special Meeting on Monday, July 12, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 13, 2010.

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

68. 100267 [Amending the Charter's Definition of Voter]
Sponsor: Mirkarimi
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Article XVII to change the definition of "voters."

Question: Shall this Charter Amendment be SUBMITTED?

69. 100632 [Public Education Enrichment Fund]
Sponsor: Alioto-Pier
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 16.23-10, to extend the automatic expiration of the Public Education Enrichment Fund from June 30, 2015, to June 30, 2016; amending Sections 16.123-2 and 16.123-8, to make conforming changes; amending Section 16.123-3, to use any surplus returned from the Library Preservation Fund Baseline to fund part of the City's required disbursements under the Pubic Education Enrichment Fund for, among other things, library programs; amending Section 16.123-5, to allow the City to use monies in the Fund to pay college tuition and fees for students attending City College or San Francisco State; amending Section 16.123-6, to authorize the Youth Commission to review expenditure plans submitted by the School District and the First Five Commission, amending Section 16.123-8, to require the City to recommend a Rainy Day Reserve policy for the San Francisco Unified School District covering local revenues and authorize the City to suspend disbursements from the Fund to the School District unless the District certifies that it has adopted and followed the policy; and, repealing Section 16.123-7 as obsolete.

Question: Shall this Charter Amendment be SUBMITTED?

70. 100633 [Split Appointments to the Recreation and Park Commission]
Sponsors: Mirkarimi; Campos, Mar, Daly and Avalos
Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.113 to split the power to make appointments to the Recreation and Park Commission between the Mayor and the Board of Supervisors, and amending Section 15.105 to provide that the appropriate appointing authority may initiate removal of Recreation and Park Commissioners.

Question: Shall this Charter Amendment be SUBMITTED?

71. 100637 **[San Francisco Municipal Transportation Agency - Appointments Policy and Other Procedures]**

Sponsors: Campos; Mirkarimi, Chiu and Mar

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section(s) 8A.101, 8A.102, 8A.104, 8A.105, 8A.106, 8A.107, 8A.108, A8.409-1, A8.409-4 and A8.428, and deleting Section and A8.404, to provide for split appointments to the San Francisco Municipal Transportation Agency (MTA) Board of Directors, allocate a share of property tax revenues to the Transportation Fund, require the MTA to resubmit an Agency budget if its budget is rejected by the Board of Supervisors, establish an Office of the MTA Inspector General, and eliminate formulas governing operator wages and benefit payments and subject these matters instead to collective bargaining.

Question: Shall this Charter Amendment be SUBMITTED?

The following item will be considered by the Budget and Finance Committee at a Special Meeting on Friday, July 9, 2010, at 11:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, July 13, 2010.

72. 100580 **[General Obligation Bond - Earthquake Safety Retrofit Loan Program General Obligation Bond - November 2, 2010, Election]**

Sponsor: Mayor

Ordinance calling and providing for a consolidated general election to be held in the City and County of San Francisco on Tuesday, November 2, 2010, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to authorize general obligation bonded indebtedness of the City and County in the Amount of Thirty Nine Million One Hundred and Forty Thousand Dollars ($39,140,000) to provide loans to pay the costs of seismic retrofits to multi-story wood structures that are at significant risk of substantial damage and collapse during an earthquake, finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof, prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election on the same date; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, July 12, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 13, 2010.

73. 100658 [Bayview Hunters Point Redevelopment Project Area]
Sponsors: Mayor; Maxwell
Ordinance approving and adopting an amendment to the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

74. 100659 [Hunters Point Shipyard Redevelopment Project Area]
Sponsors: Mayor; Maxwell
Ordinance approving and adopting an amendment to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 75 through 77

75. 100887 **[Support Assembly Bill 1652 Regarding the Ski Resort Safety Act]**
Sponsor: Alioto-Pier
Resolution supporting Assembly Bill 1652 regarding the Ski Resort Safety Act.

06/29/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

76. 100888 **[Approving Associate Membership in the California Enterprise Development Authority]**
Sponsor: Daly
Resolution approving associate membership by the City and County of San Francisco in the California Enterprise Development Authority, a joint exercise of powers authority, and authorizing, and directing the execution of an Associate Membership Agreement relating to associate membership of the City in the Authority.

06/29/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

77. 100890 [San Francisco County Exhibit in the 2010 State Fair]
Sponsor: Chiu
Motion appointing the City Administrator as the official representative of the City and County of San Francisco for the purpose of entering a county exhibit in the 2010 California State Fair and authorizing a county exhibit on San Francisco's behalf.

06/29/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

78. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from June 22, 2010, to July 2, 2010, for reference by President to appropriate committee on July 13, 2010

100832 **[Contract with Institute on Aging for the Provision of Case Management, Community Living Fund and Linkages Program Services - Not to Exceed $13,191,544]**

Resolution approving the grant agreement between the City and County of San Francisco and the non-profit Institute on Aging to provide Case Management, Community Living Fund and Linkages Program services to seniors and adults with disabilities during the period of July 1, 2010, to June 30, 2014, for a total not to exceed amount of $13,191,544. (Human Services Department)

06/24/2010, RECEIVED AND ASSIGNED to the City Operations and Neighborhood Services Committee

100833 **[Approving Street Encroachment at Lake Merced Boulevard and Higuera Avenue]**

Resolution granting revocable permission to Park Merced Investors Properties, LLC to occupy a portion of the public right-of-way for the installation and maintenance of a neighborhood sign (4' high x 36' wide x 32" deep) at the corner of Lake Merced Boulevard and Higuera Avenue in the median island (Block 0807, Lot 012), conditioned upon the payment of an annual assessment fee. (Public Works Department)

06/25/2010, RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee

100900 **[Approval of Amendment No. 1 of Lease, Use and Operating Agreement for BART Station and Related Facilities and Grant Easement at San Francisco International Airport, Lease No. L97-0081]**

Resolution approving and authorizing the execution of Amendment No. 1 to Lease, Use and Operating Agreement for BART Station and Related Facilities and Grant of Easement at San Francisco International Airport, Lease No. L97-0081 to: (1) limit BART Premium Fare (surcharge) for non-airline airport employees for $1.50 each way for the remainder of the Lease, (2) remove BART Faithful Performance Deposit requirement, (3) permit monthly payment by BART of the annual rent in lieu of advance annual payment, (4) allow advertising by BART in the Airport BART Station, and (5) include administrative updates to the Lease. (Airport Commission)

06/30/2010, RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee

100901 **[California Environmental Quality Act Findings for Water System Improvement Program Habitat Mitigation Actions]**

Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation and monitoring reporting program and a statement of overriding considerations, related to full implementation of Habitat Mitigation Actions at two sites in Alameda County for the San Francisco Public Utilities Commission Sunol Valley Water Treatment Plant Expansion and Treated Water Reservoir project [CUW38101] and other Water System Improvement Program projects, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

07/02/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

100904 **[Special Assessment of Liens for Assessment of Cost]**

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, and Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection, for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above.

06/30/2010; RECEIVED AND ASSIGNED to the Board of Supervisors.

100898 **[Petitions and Communications]**

Petitions and Communications received from June 22, 2010, through July 2, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on July 13, 2010.

From Office of the Controller, regarding proposed Charter Amendment concerning the split appointments to the Municipal Transportation Agency Board of Directors. File No. 100637, Copy: Rules Committee Members and Clerk (1)

From Office of the Controller, submitting their analysis of the funding recommendations of the Department of Children, Youth, and Their Families for FY2010-2011 through FY2012-2013. Copy: Each Supervisor (2)

From Office of the Controller, regarding transfer tax revenues received by the City and County for FY2009-2010. Copy: Each Supervisor (3)

From Office of the Mayor, submitting opposition to proposed Charter Amendment amending City Charter provisions concerning the Municipal Transportation Agency. File No. 100637, Copy: Each Supervisor, Rules Committee Clerk (4)

From James Chaffee, regarding public comment at the Budget and Finance Committee. (5)

From Clerk of the Board, the following departments have submitted their Sole Source contracts for FY2009-2010: (6)
Civil Service Commission
Employees' Retirement System
Human Services Agency
Public Health
Public Library
Residential Rent Stabilization and Arbitration Board
War Memorial and Performing Arts Center

From Clerk of the Board, the following individuals have submitted a Form 700 Statement: (7)
Bruce Wolfe, assuming, Sunshine Ordinance Task Force
Nicholas Goldman, assuming, Sunshine Ordinance Task Force
David Snyder, assuming, Sunshine Ordinance Task Force
James Knoebber, assuming, Sunshine Ordinance Task Force
Hope Johnson, assuming, Sunshine Ordinance Task Force

From concerned citizens, submitting support for the Neighborhood Emergency Response Team (NERT) program. File No. 100701, Budget and Finance Committee Members and Clerk, 2 letters (8)

From Clerk of the Board, the following departments have submitted their 2010 Local Agency Biennial Notices: (9)
Assessor-Recorder
County Transportation Authority
Department of Human Resources
Health Authority
Residential Rent Stabilization and Arbitration Board
Treasurer-Tax Collector

From Department of Public Works, submitting notice that effective July 1, 2010, the cost to file an appeal for a tentative map will increase from $250.00 to $280.00. (10)

From Library Users Association, urging the Board to urge the City Librarian to provide full-time, full interim library service while branch libraries are being renovated. (11)

From Mayor's Office of Housing, submitting public notice that their office has completed an environmental assessment for the project known as Edward II, located at 3155 Scott Street. (12)

From concerned citizens, submitting opposition to expanding parking meter hours/and or Sunday metering. 42 letters (13)

From concerned citizens, regarding the Arizona boycott. (14)

From Department of Public Works, responding to the findings and recommendations of the San Francisco County Civil Grand Jury Report entitled Americans with Disabilities Act. (15)

From ClementinaCares, Inc., submitting support for the 900 Folsom Street and 260 - 5th Street projects. File Nos. 100787, 100791 (16)

From Cesar Gomez, regarding McLaren Park Disc Golf Club. (17)

From Ahimsa Porter Sumchai, regarding the Hunter's Point Shipyard - Candlestick Park Environmental Review. (18)

From S.F. Ocean Edge, submitting a request for an Environmental Impact Report scoping session for the Beach Chalet Athletic Fields renovation project in Golden Gate Park. (19)

From Office of the District Attorney, submitting request for waiver of Administrative Code Chapter 12B for Chevron USA, Inc. (20)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapter 12B for ADT Security Service. (21)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapter 12B for Idexx Distribution Corp. (22)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapter 12B for Merial Limited. (23)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapter 12B for Merry X-Ray Chemical Corporation. (24)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapter 12B for Radiation Detection Company. (25)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapter 12B for Safeway, Inc. (26)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapter 12B for TW Medical Vet Supply. (27)

From S.F. Association of Realtors, submitting support for proposed ordinance to adopt a condominium conversion impact fee applicable to buildings qualifying for but not being selected in the 2010 condominium conversion lottery. File No. 100706 (28)

From Department of Public Health, submitting a status report on the implementation of the San Francisco Health Care Security Ordinance. Copy: Each Supervisor (29)

From State Department of Public Health, regarding the infant healthcare budget revision. Copy: Each Supervisor. (30)

From Planning Department, regarding T-Mobile Wireless Telecommunications Facilities at various locations. Copy: Each Supervisor. (31)

From San Francisco County Civil Grand Jury, submitting report entitled "Pension Tsunami: The Billion-Dollar Bubble." Copy: Each Supervisor, Government Audit and Oversight Committee Clerk. (32)

From S.F. Public Golf Alliance, submitting list of frequently asked questions and answers about Sharp Park Golf Course. Copy: Each Supervisor. (33)

From S.F. Public Golf Alliance, urging the Mayor and Board of Supervisors to maintain funding in the FY2010-2012 Budget for Sharp Park Golf Course. 113 letters, Copy: Each Supervisor. (34)

From Axis of Love, SF, submitting copy of petition sent to the District Attorney regarding the raid on the Axis of Love Medical Cannabis Community Center on June 10, 2010. Approximately 480 signatures. (35)

From Bay Area Rapid Transit District, submitting their Public Participation Plan Report. (36)

From Office of the Controller, submitting copy of letter sent to the KOGAMI Foundation regarding grant funds. (37)

From Office of Citizen Complaints, submitting comments on proposed Charter Amendment transferring Police Department functions to the Sheriff. Copy: Rules Committee Members and Clerk. (38)

From Gail Caswell, urging the Board of Supervisors to close Sharp Park Golf Course and use the money to defray the impacts of the existing fiscal crisis. (39)

From Kimo Crossman, submitting letter from the Residential Rent Stabilization and Arbitration Board being in compliance with Section 67.16. (40)

From Kimo Crossman, regarding preserving public records. (41)

From concerned citizens, submitting support for the restoration request of $50,000 for the Japantown Better Neighborhood Plan Organizing Committee. File No. 100701, 9 letters. (42)

From Department of Public Works, submitting their yearly report concerning the Monument Preservation Fund. (43)

From Office of the Public Defender, submitting request for waiver for Administrative Code Chapter 12B for Chevron USA, Inc. (44)

From Office of the Mayor, submitting an addendum to Notice of Transfer of Function under Charter Section 4.132. Copy: Each Supervisor. (45)

From Office of the Mayor, submitting Notice to Rescind Transfer of Function under Charter Section 4.132. Copy: Each Supervisor. (46)

From Office of the Controller, regarding proposed Charter Amendment specifying funding for affordable housing. File No. 100629, Copy: Each Supervisor, City Attorney. (47)

From Office of the Controller, regarding proposed Charter Amendment requiring the Mayor to appear personally at one regularly scheduled meeting of the Board of Supervisors each month. File No. 100630, Each Supervisor, City Attorney (48)

From Office of the Controller, regarding proposed Charter Amendment establishing the Rent Board in the Charter and dividing the power to nominate members of the Rent Board between the Mayor and the Board of Supervisors. File No. 100636, Copy: Each Supervisor, City Attorney (49)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from July 2, 2010, until July 5, 2010. Supervisor Bevan Dufty and Supervisor Carmen Chu will serve as Acting-Mayor. Copy: Each Supervisor, City Attorney (50)

From Planning Department, submitting notice of the availability of a draft Environmental Impact Report for the San Francisco 2004 and 2009 Housing Element. (51)

From Lee & Therese Grenchilk, urging the Board of Supervisors to reconsider landmark status for the North Beach Library and allow long-delayed plans to replace the existing building to proceed. (52)

From Bill & Bob Clark, regarding the street artist certificate fee increase. File No. 100710 (53)

From Ivan Pratt, regarding various issues. 2 letters (54)

From Andrew Sullivan, submitting opposition to proposed Charter Amendment amending the City Charter provisions concerning the Municipal Transportation Agency. File No. 100637 (55)

From Daniel Pong, regarding fees and taxes in San Francisco. (56)

From Jennifer Stasch, urging continued funding for behavioral health services delivered to needy veterans by Swords to Plowshares frontline drop-in center. (57)

From Shanon Seaberg, requesting help with Department of Public Works clean up issues. (58)

From John Wirth, regarding City and County administrators that make over $200,000 a year. (59)

From W.D. Flient, regarding medical services at the 850 Bryant Street Jail. (60)

From Francisco Da Costa, regarding communities of opportunity. (61)

From Marcia Flannery, regarding funding for the arts at San Francisco International Airport. (62)

From Bill Quan, submitting opposition to proposed Charter Amendment that changes the composition of the Residential Rent Stabilization and Arbitration Board. File No. 100636, Rules Committee Members and Clerk (63)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, July 20, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

JUL 16 2010

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DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos	Wednesday 1:30 PM
Budget and Finance Sub-Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Daly	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfbos.org/meetings

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the June 15, 2010, Board Meeting Minutes.

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the Board Meeting on the third Tuesday of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 12

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Campos

1. 100715 [Fire Department Cost Recovery for Vehicle Incidents]
Sponsor: Mayor
Ordinance amending the San Francisco Fire Code, Appendix Chapter 1, by adding Section 112.22 to authorize the Fire Department to recover costs incurred removing vehicle contents from City streets and highways after vehicle incidents.

07/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

2. 100725 [Establishing Automated Point-of-Sale Systems Registration, Inspection and Reinspection Requirements and Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Administrative Code by adding Chapter 115, Sections 115 through 115.8, to establish registration, inspection and reinspection requirements and fees for automated point-of-sale (scanner) systems to ensure compliance with California Business and Professions Code Sections 120242, 12024.6, and 12103.5, and making environmental findings.

07/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Dufty

3. 100671 [Smoking Prohibition Signage Requirement]
Sponsor: Mar
Ordinance amending San Francisco Health Code Section 1009.22 to clarify signage language requirement.

07/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 100758 **[Public Works Code - Banners in the North of Market/Tenderloin Community Benefit District]**
Sponsor: Daly
Ordinance amending Public Works Code, Article 5.7, Section 184.78 to allow the posting of banners in the North of Market/Tenderloin Community Benefit District as defined herein and adopting environmental findings.

07/13/2010, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Chu, Avalos, Alioto-Pier

5. 100885 **[Accept and Expend Grant - Pedestrian and Bicycle Projects - $685,000]**
Sponsor: Chu
Resolution authorizing the San Francisco Municipal Transportation Agency and the Department of Public Works to accept and expend State Transportation Development Act Article 3 funds totaling $685,000 which consists of $310,000 to the Department of Public Works and $375,000 to the San Francisco Municipal Transportation Agency, for various pedestrian and bicycle projects in the City and County of San Francisco in FY2010-2011.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Daly

6. 100808 **[Memorandum of Understanding, Amendment No. 2 - Municipal Executives' Association Police]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Police by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

07/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 100866 [Memorandum of Understanding, Amendment No. 2 - Freight Checkers, Clerical Employees and Helpers, Teamsters Local 856 (Supervising Registered Nurses, Unit 11.B)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees and Helpers, Teamsters Local 856 (Supervising Registered Nurses, Unit 11.B.), by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

07/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 100868 [Memorandum of Understanding - Service Employees International Union, Local 1021 Staff and Per Diem Nurses]

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021 Staff and Per Diem Nurses, to be effective July 1, 2010, through June 30, 2012.

07/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

9. 100856 [Settlement of Lawsuit - Jeffrey Bitton, Sandra Bitton and Micha Bitton - $48,500]

Ordinance authorizing settlement of the lawsuit filed by Jeffrey Bitton, Sandra Bitton, and Micha Bitton against the City and County of San Francisco for $48,500; the lawsuit was filed on December 15, 2008, in the United States District Court, Northern District of California, Case No. C08-5585; entitled Jeffrey Bitton, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 100857 [Settlement of Attorney's Fees/Costs Claim in Lawsuit - A.N.S.W.E.R. Coalition - $90,000]

Ordinance authorizing settlement of the claim for attorney's fees and costs incurred by A.N.S.W.E.R. Coalition - San Francisco in litigation against the City and County of San Francisco for $90,000.00; the lawsuit was filed on June 16, 2006, in San Francisco Superior Court, Case No. CPF-06-506438; entitled A.N.S.W.E.R. Coalition - San Francisco v. City and County of San Francisco. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 100858 **[Settlement of Unlitigated Claim - Barbara Whittenburg - $60,000]**
Résolution approving the settlement of the unlitigated claim filed by Barbara Whittenburg against the City and County of San Francisco for $60,000; claim was filed on November 12, 2009. (City Attorney)

Question: Shall this Resolution be ADOPTED?

12. 100859 **[Settlement of Unlitigated Claim - Lance Gentile - $105,000]**
Resolution approving the settlement of the unlitigated claim filed by Lance Gentile against the City and County of San Francisco for $105,000; claim was filed on September 28, 2009. (City Attorney)

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2010, nor later than August 1, 2010.)

13. 100701 **[Proposed Consolidated Budget and Annual Appropriation Ordinance, FYs Ending June 30, 2011, and June 30, 2012]**
Sponsor: Mayor
Proposed Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the FYs ending June 30, 2011, and June 30, 2012.

(Supervisor Elsbernd dissented in Committee.)

07/13/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 100747 [Proposed Annual Salary Ordinance, FY Ending June 30, 2011, for all Departments, and for FY Ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission]

Sponsor: Mayor

Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FY ending June 30, 2011, for all departments and for FY ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Supervisor Elsbernd dissented in Committee.)

07/13/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Daly

15. 100810 [Memorandum of Understanding, Amendment No. 3 - San Francisco Firefighters, Local 798, (Unit 2)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 3 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 2, by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

(Supervisor Daly dissented in committee.)

07/13/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 100811 [Memorandum of Understanding, Amendment No. 2 - San Francisco Police Officers' Association (Units P-1 & P-2A)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Units P-1 & P-2A), by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

(Supervisor Daly dissented in committee.)

07/13/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. 100812 **[Memorandum of Understanding, Amendment No. 2 - San Francisco Police Officers' Association (Unit P-2B)]**

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Unit P-2B), by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

(Supervisor Daly dissented in committee.)

07/13/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

18. 100867 **[Memorandum of Understanding, Amendment No. 2 - Municipal Executives' Association Fire]**

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Fire by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

(Supervisor Daly dissented in committee.)

07/13/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Mar, Daly

19. 100809 **[Memorandum of Understanding, Amendment No. 3 - San Francisco Firefighters, Local 798, (Unit 1)]**

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 3 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 1, by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

07/13/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

20. 100629 [San Francisco Affordable Housing Fund]
Sponsor: Daly
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.127 to: (1) establish baseline appropriation and make an annual appropriation of the equivalent of 33% of any available general fund budget surplus for the next fifteen (15) years to support affordable housing programs; (2) require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; (3) affirm City policy urging the Redevelopment Agency to use at least 50% of its tax increment funds for low and moderate income housing; and (4) set an expiration date of July 1, 2026.

(Supervisor Alioto-Pier dissented in committee.)

07/13/2010; CONTINUED.

Question: Shall this Charter Amendment be SUBMITTED?

21. 100630 [Requiring the Mayor to Appear Personally at One Regularly-Scheduled Meeting of the Board of Supervisors Each Month to Engage in Formal Policy Discussions with Members of the Board]
Sponsor: Daly
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 2.103 and 3.100, to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board and to authorize the Board to adopt rules and guidelines.

(Supervisor Alioto-Pier dissented in committee.)

07/13/2010; CONTINUED.

Question: Shall this Charter Amendment be SUBMITTED?

22. 100633 [Split Appointments to the Recreation and Park Commission]
Sponsors: Mirkarimi; Campos, Mar, Daly and Avalos
Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.113 to split the power to make appointments to the Recreation and Park Commission between the Mayor and the Board of Supervisors, and amending Section 15.105 to provide that the appropriate appointing authority may initiate removal of Recreation and Park Commissioners.

07/13/2010; CONTINUED.

Question: Shall this Charter Amendment be SUBMITTED?

23. 100634 **[Health Service Board Terms and Elections]**
Sponsor: Elsbernd
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 12.00, to shorten, on a one-time basis, the term of one Health Service Board member from five years to three years, and the term of another Health Service Board member from five years to two years, so that Board terms will expire in pairs in the future and can be filled during the same Board election.

07/13/2010; CONTINUED.

Question: Shall this Charter Amendment be SUBMITTED?

24. 100635 **[Non-Citizen Voting in School Board Elections]**
Sponsors: Chiu; Campos, Mar, Avalos, Mirkarimi, Maxwell, Daly and Dufty
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100 and adding Section 13.111 to authorize San Francisco residents 18 years of age or older who are the parents, legal guardians or caregivers of children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the residents are United States citizens.

07/13/2010; CONTINUED.

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

25. 100882 **[Waiver of Street Encroachment Permit Fee for Golden Gate Transportation District]**
Sponsor: Elsbernd
Ordinance waiving the street encroachment permit processing fee in Public Works Code Section 2.1.1(j) for signs related to bus service for the Golden Gate Bridge, Highway, and Transportation District.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 100607 [Adopting California Environmental Quality Act Findings for Sunnydale Sewer System Improvement Project]

Resolution adopting findings under the California Environmental Quality Act, CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of Project No. CENMSCIC23, Sunnydale Sewer System Improvement Project, in the Visitacion Valley and Sunnydale neighborhood areas, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

27. 100687 [Agreement to Purchase Permanent Subsurface Easements and Temporary License Agreements to Enter and Use Property for the Sunnydale Sewer System Improvement Project totaling $2,459,664]

Resolution approving and authorizing agreements for the acquisition of the following real property rights required for the Sunnydale Sewer Improvement Project No. CENMSCIC2362 (Project) totaling $2,459,664: (1) permanent subsurface sewer easements over portions of San Francisco APN 4991/24 and 4991/65 comprising 11,677.7 square feet, (2) permanent subsurface sewer easements over portions of San Francisco APN 5100/3, 5101/7, and 5102/9 comprising 24,468 square feet, (3) a temporary 18-month License with a 6-month option term over San Francisco APN 4991/24, 4991/61, 4991/65 comprising 47,568 square feet, and 22,215 square feet over the contiguous Brisbane APN 005-153-030, and (4) a temporary 18-month License with a 6-month option term over portions of San Francisco APN 5100/3 and 5107/1 comprising 24,613.7 square feet; adopting findings under the California Environmental Quality Act (CEQA); adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

28. 100688 [Agreement to Purchase Permanent Subsurface Easements for the Sunnydale Sewer Improvement Project totaling $174,001]

Resolution approving and authorizing agreements for the acquisition of permanent subsurface sewer easements required for the Sunnydale Sewer Improvement Project No. CENMSCIC2362 (the "Project") over portions of San Francisco APN 5104/4, 4991/7/8, 4991/9 and 4991/68 from Recology Properties, Inc. (fka Macor, Inc.) and Recology San Francisco (fka SF Recycling & disposal, Inc./fka Sanitary Fill Co.) totaling $174,001, comprising 31,826.19 square feet; adopting findings under the California Environmental Quality Act (CEQA); adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

29. 100780 [Amendment to Treasure Island South Waterfront Master Lease]

Resolution approving the Twenty-Sixth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

30. 100781 **[Amendment to Treasure Island Land and Structures Master Lease]**
Resolution approving the Thirty-Fourth Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

31. 100782 **[Amendment to Treasure Island Marina Master Lease]**
Resolution approving the Fourteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

32. 100783 **[Amendment to Treasure Island Childcare Master Lease]**
Resolution approving the Sixth Amendment to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

33. 100784 **[Amendment to Treasure Island Event Venues Master Lease]**
Resolution approving the Twenty-Second Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

34. 100785 **[Approving Modification to the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy]**
Resolution approving and authorizing the Treasure Island Development Authority to enter into a Modification to the Cooperative Agreement with the U.S. Navy to extend the Cooperative Agreement from October 1, 2010, to September 30, 2011. (Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

35. 100796 **[Agreement for Vehicle Towing, Storage and Disposal Services with TEGSCO, LLC, dba San Francisco Auto Return]**
Sponsor: Elsbernd
Resolution approving the amended and restated service agreement and property use license for towing, storage and disposal of abandoned and illegally parked vehicles by and between the San Francisco Municipal Transportation Agency and TEGSCO, LLC, d.b.a. San Francisco Auto Return.

Question: Shall this Resolution be ADOPTED?

36. 100805 **[Memorandum of Understanding - Clipper Program Operations and Maintenance]**
Sponsor: Dufty
Resolution approving the Memorandum of Understanding with the Metropolitan Transportation Commission, and other Bay Area transit agencies, for the future operation and maintenance of the Clipper Program.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

37. 100855 **[Approve San Francisco Public Utilities Commission Calaveras Dam Replacement Construction Management Contract - Not to Exceed $38,000,000]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-911R, Calaveras Dam Replacement Construction Management Services, with Black and Veatch, for an amount not to exceed $38,000,000 with a term of up to five years and six months, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

38. 100729 **[Treasure Island Development Authority Budget FY2010-2011]**
Sponsor: Mayor
Resolution approving the Budget of the Treasure Island Development Authority for FY2010-2011.

Question: Shall this Resolution be ADOPTED?

39. 100703 **[Planning Code Amendments to Update Fees for Cost Recovery]**
Sponsor: Mayor
Ordinance amending the San Francisco Planning Code, Article 3.5, by amending Sections 350, 351, 352, 353, 354, 355, and 358, to increase fees 2.61%, and an additional 2.04% for all fees except those associated with small projects for cost recovery; add a new fee for Conditional Use Applications for Wireless Telecommunication Services Facilities; increase the Discretionary Review filing fee; and make other adjustments for cost recovery.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 100781 **[Amendment to Treasure Island Land and Structures Master Lease]**
Resolution approving the Thirty-Fourth Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

31. 100782 **[Amendment to Treasure Island Marina Master Lease]**
Resolution approving the Fourteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

32. 100783 **[Amendment to Treasure Island Childcare Master Lease]**
Resolution approving the Sixth Amendment to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

33. 100784 **[Amendment to Treasure Island Event Venues Master Lease]**
Resolution approving the Twenty-Second Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

34. 100785 **[Approving Modification to the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy]**
Resolution approving and authorizing the Treasure Island Development Authority to enter into a Modification to the Cooperative Agreement with the U.S. Navy to extend the Cooperative Agreement from October 1, 2010, to September 30, 2011. (Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

35. 100796 **[Agreement for Vehicle Towing, Storage and Disposal Services with TEGSCO, LLC, dba San Francisco Auto Return]**
Sponsor: Elsbernd
Resolution approving the amended and restated service agreement and property use license for towing, storage and disposal of abandoned and illegally parked vehicles by and between the San Francisco Municipal Transportation Agency and TEGSCO, LLC, d.b.a. San Francisco Auto Return.

Question: Shall this Resolution be ADOPTED?

36. 100805 [Memorandum of Understanding - Clipper Program Operations and Maintenance]
Sponsor: Dufty
Resolution approving the Memorandum of Understanding with the Metropolitan Transportation Commission, and other Bay Area transit agencies, for the future operation and maintenance of the Clipper Program.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

37. 100855 [Approve San Francisco Public Utilities Commission Calaveras Dam Replacement Construction Management Contract - Not to Exceed $38,000,000]
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-911R, Calaveras Dam Replacement Construction Management Services, with Black and Veatch, for an amount not to exceed $38,000,000 with a term of up to five years and six months, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

38. 100729 [Treasure Island Development Authority Budget FY2010-2011]
Sponsor: Mayor
Resolution approving the Budget of the Treasure Island Development Authority for FY2010-2011.

Question: Shall this Resolution be ADOPTED?

39. 100703 [Planning Code Amendments to Update Fees for Cost Recovery]
Sponsor: Mayor
Ordinance amending the San Francisco Planning Code, Article 3.5, by amending Sections 350, 351, 352, 353, 354, 355, and 358, to increase fees 2.61%, and an additional 2.04% for all fees except those associated with small projects for cost recovery; add a new fee for Conditional Use Applications for Wireless Telecommunication Services Facilities; increase the Discretionary Review filing fee; and make other adjustments for cost recovery.

Question: Shall this Ordinance be PASSED ON FIRST READING?

40. 100724 **[Update to Environmental Review Fees to Increase Fees for Cost Recovery, Establish a New Fee for Mitigation and Conditions of Approval Monitoring, and Make Other Clarifying Changes]**

Sponsor: Mayor

Ordinance amending the San Francisco Administrative Code, Chapter 31, Articles IV and V, by amending Sections 31.22, 31.23, and 31.24, to increase all fees 2.61% which is the cost of living adjustment, and an additional 2.04% for cost recovery, further increase Categorical Exemption Class 32, Negative Declaration and Environmental Impact Report addendum fees for cost recovery, change the timing of Environmental Impact Report payments, add a new fee for mitigation and condition of approval monitoring, and for the Municipal Transportation Agency and Public Utilities Commission for Categorical Exemption Certificates, clarify phase collection payments and refund policy, and establish a processing fee for phased payments.

Question: Shall this Ordinance be PASSED ON FIRST READING?

41. 100909 **[Appropriating $6,816,953 of General Fund Balance and Additional Revenues for Various Programs in Children, Youth, and Their Families and Human Services Agency for FY2010-2011]**

Sponsor: Avalos

Ordinance appropriating $6,816,953, including $6,353,453 of General Fund balance, $320,000 of property tax revenues, $40,000 of administrative processing fees, and $103,500 of Federal Medi-Cal Title XIX revenues, and appropriating $5,470,339 for various programs in the Department of Children, Youth, and Their Families and $1,346,614 for various programs in Human Services Agency - Department of Aging and Adult Services for FY2010-2011, and urging the First Five Commission to program at least $693,000 of existing appropriation authority for Early Childcare and Education programs, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113.

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. 100886 **[Approving the Issuance of Bonds for National Center for International Schools by the California Enterprise Development Authority - Not to Exceed $26,500,000]**

Sponsor: Daly

Resolution approving the issuance, by the California Enterprise Development Authority, of its revenue obligations bonds for the benefit of National Center for International Schools, a nonprofit public benefit corporation, and/or a related entity in an aggregate principal amount not to exceed $26,500,000 for the purpose of financing and refinancing the cost of the acquisition, construction, rehabilitation, equipping and furnishing of certain property, providing the terms and conditions for such obligations and other matters relating thereto.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

43. 100750 **[Increase the Real Property Transfer Tax]**
Sponsor: Avalos
Motion ordering submitted to the voters an ordinance authorizing an amendment to the Real Property Transfer Tax at an election to be held on November 2, 2010.

(Economic Impact.)

Question: Shall this Motion be APPROVED?

44. 100756 **[Establishing a Progressive Payroll Expense Tax Rate Structure and Reducing Selected Payroll Expense Tax Rates; Imposing a Gross Receipts Tax on the Rental of Commercial Real Property]**
Sponsor: Chiu
Motion ordering submitted to the voters an ordinance revising the payroll expense tax to establish a progressive tax rate structure and reducing selected payroll expense tax rates and imposing a gross receipts tax on the rental of commercial real property, at an election to be held on November 2, 2010.

(Economic Impact.)

Question: Shall this Motion be APPROVED?

45. 100759 **[Parking Tax Increase and Tax on Valet Services]**
Sponsor: Mirkarimi
Motion ordering submitted to the voters an ordinance authorizing the "Ordinance amending San Francisco Business and Tax Regulations Code, Article 9, Sections 602 and 602.5 (Tax on Occupancy of Parking Space in Parking Station) to increase the tax rate from 15% to 25%, making the total tax rate, including the existing surcharge, 35%; amending Section 601 to clarify the definition of "Operator" and "Occupant" and to add a new definition of "Valet Parking Service Provider;" and adding Section 602B to impose an additional tax of 35% on gross receipts from valet parking services" at an election to be held on November 2, 2010.

(Economic Impact.)

Question: Shall this Motion be APPROVED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Alioto-Pier

46. 100751 **[Implementation of Assembly Bill 1421 - Assisted Outpatient Treatment, "Laura's Law"]**
Sponsor: Alioto-Pier
Resolution authorizing the implementation of assisted outpatient treatment in the City and County of San Francisco, requesting the Controller conduct an analysis of mental health funding levels.

(Supervisor Avalos dissented in committee.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

47. 100949 **[Committee of the Whole - Election Day Voter Registration Charter Amendment]**
Hearing of persons interested in or objecting to the amendments to the proposed Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 13.112 and amending Article XVII to establish Election Day Voter Registration for exclusively municipal elections. (Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report

48. 100267 **[Election Day Voter Registration]**
Sponsor: Mirkarimi
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 13.112 and amending Article XVII to establish Election Day Voter Registration for exclusively municipal elections.

07/13/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/13/2010; CONTINUED AS AMENDED.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

49. 100944 [Committee of the Whole - Earthquake Safety Retrofit Deferred Loan and Grant Program General Obligation Bonds]

Hearing of persons interested in or objecting to the amendments to the proposed Resolution and Ordinance relating to the Earthquake Safety Retrofit Deferred Loan and Grant Program General Obligation Bonds. (Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report

50. 100580 [General Obligation Bond - Earthquake Safety Retrofit Deferred Loan and Grant Program General Obligation Bond - November 2, 2010, Election]

Sponsor: Mayor

Ordinance calling and providing for a consolidated general election to be held in the City and County of San Francisco on Tuesday, November 2, 2010, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to authorize general obligation bonded indebtedness of the City and County in the Amount of Forty Six Million One Hundred and Fifty Thousand Dollars ($46,150,000) to provide deferred loans and/or grants to pay the costs of seismic retrofits to multi-story wood structures that are at significant risk of substantial damage and collapse during an earthquake; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election on the same date; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

07/13/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/13/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/13/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

51. 100581 **[General Obligation Bonds - Earthquake Safety Retrofit Deferred Loan and Grant Program General Obligation Bonds 2010 - Estimated Cost $46,150,000]**
Sponsor: Mayor

Resolution determining and declaring that the public interest and necessity demand the construction, improvement and seismic retrofitting of multi-story wood framed affordable housing soft-story buildings for earthquake safety funded by the City or other qualified governmental housing finance agency, or owned by private third-parties and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of $46,150,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34.

06/15/2010; CONTINUED.

06/29/2010; CONTINUED.

07/13/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/13/2010; CONTINUED AS AMENDED.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

52. 100945 **[Committee of the Whole - Establishment of Rent Board in Charter; Appointment and Removal of Members and Alternate Members Charter Amendment]**

Hearing of persons interested in or objecting to the amendments to the proposed Charter Amendment to amend the Charter of the City and County of San Francisco by adding Section 4.136, and amending Section 15.105. Section 4.136 would be added to: establish the Residential Rent Stabilization and Arbitration Board (Rent Board) in the Charter; authorize the Board of Supervisors to appoint three members and three alternate members, authorize the Mayor to appoint three members and three alternate members, and authorize the Board of Supervisors President and the Mayor to jointly appoint one member and one alternate member; and provide that the Rent Board will consist of two tenants, two landlords, and three neutral members, with an alternate for each member. Charter Section 15.105, which enumerates commissions whose members are subject to removal only for official misconduct, would be amended to include Rent Board members and alternate members. (Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report

53. 100636 [Establishment of Rent Board in Charter; Appointment and Removal of Members and Alternate Members]

Sponsors: Campos; Avalos, Daly, Mar, Maxwell, Mirkarimi and Chiu

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Section 4.136, and amending Section 15.105. Section 4.136 would be added to: establish the Residential Rent Stabilization and Arbitration Board (Rent Board) in the Charter; authorize the Board of Supervisors to appoint three members and three alternate members, authorize the Mayor to appoint three members and three alternate members, and authorize the Board of Supervisors President and the Mayor to jointly appoint one member and one alternate member; and provide that the Rent Board will consist of two tenants, two landlords, and three neutral members, with an alternate for each member. Charter Section 15.105, which enumerates commissions whose members are subject to removal only for official misconduct, would be amended to include Rent Board members and alternate members.

(Supervisor Alioto-Pier dissented in committee.)

07/13/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/13/2010; CONTINUED AS AMENDED.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Public Safety Committee at a Regular Meeting on Monday, July 19, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, July 20, 2010.

54. 100884 [Accept and Expend Grant - Local Juvenile Justice Accountability Measures - $119,034]

Sponsor: Campos

Resolution authorizing the San Francisco Public Defender's Office to accept and expend a grant in the amount of $119,034 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Rules Committee at a Special Meeting on Tuesday, July 20, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 20, 2010.

55. 100760 **[Community Policing and Foot Beat Patrols]**
Sponsors: Mirkarimi; Chiu, Avalos and Campos
Motion ordering submitted to the voters an ordinance establishing the Community Policing Policy and Foot Beat Patrol Program at an election to be held on November 2, 2010.

Question: Shall this Motion be APPROVED?

56. 100953 **[Community Policing and Foot Beat Patrols]**
Motion ordering submitted to the voters an ordinance at an election to be held on November 2, 2010 establishing the Community Policing Policy and Foot Beat Patrol Program and supplanting any City ordinance the voters approve at the November 2, 2010 election that bans lying or sitting on public sidewalks.

Question: Shall this Motion be APPROVED?

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

57. 100637 **[San Francisco Municipal Transportation Agency - Appointments Policy and Other Procedures]**
Sponsors: Campos; Mirkarimi, Chiu and Mar
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 8A.100, 8A.101, 8A.102, 8A.104, 8A.105, 8A.106, 8A.107, 8A.108, 8A.113, A8.409-1, A8.409-4, and A8.428, and repealing Section A8.404, to: provide for split appointments to the San Francisco Municipal Transportation Agency (MTA) Board of Directors; allocate a share of property tax revenues to the Transportation Fund; require the MTA to resubmit an Agency budget if its budget is rejected by the Board of Supervisors; establish an Office of the MTA Inspector General; and, eliminate formulas governing operator wages and benefit payments and subject these matters instead to collective bargaining.

Question: Shall this Charter Amendment be SUBMITTED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 58 through 72

58. 100931 [Local Support for Proposition 1B Local Streets and Road Projects]
Sponsor: Mayor
Resolution authorizing local support for street resurfacing projects to be funded by FY2009-2010 Proposition 1B State Infrastructure Bond funds from the Local Street and Road, Congestion Relief, and Traffic Safety Account of 2006.

07/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

59. 100932 [Apply for State Used Oil Payment Program]
Sponsor: Mayor
Resolution authorizing the Department of the Environment to apply for annual grants from the California Department of Resources Recycling and Recovery for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.

07/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

60. 100933 **[Homeland Security Grants]**

Sponsor: Mayor

Resolution authorizing designated City and County officials to execute and file, on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California under various grant programs, including: the FY2010 Homeland Security Grant Program for the FY2010 Urban Areas Security Initiative (UASI) grant, the FY2010 Regional Catastrophic Preparedness Grant Program (RCPGP), the FY2010 Interoperable Emergency Communications Grant Program (IECGP), Public Law 111-83, FY2010 State Homeland Security Grant Program, FY2010 Metropolitan Medical Response System, FY2010 Citizen Corps Program, FY2010 Emergency Management Performance Grant, and FY2010 Buffer Zone Protection Program.

07/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

61. 100934 **[Issuance and Sale of Tax-Exempt Revenue Bonds - Drew School - Not to Exceed - $8,000,000]**

Sponsor: Alioto-Pier

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $8,000,000 to finance and/or refinance various capital facilities owned by Drew School.

07/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

62. 100935 **[Supporting Eddy Zheng's Application to Remain Lawfully in the United States]**

Sponsors: Chiu; Mar, Avalos, Mirkarimi, Campos, Chu and Maxwell

Resolution urging the Honorable Arnold Schwarzenegger, Governor of California, to grant Xiao Fei "Eddy" Zheng a full pardon and allow him to remain in the United States and to continue to serving youth in the San Francisco Bay Area community.

07/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

63. 100936 **[Accept and Expend Grant - Early Childhood Mental Health Consultation Initiative - $20,000]**

Sponsor: Chu

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $20,000 from the San Francisco Foundation, to assist with a project entitled "Early Childhood Mental Health Consultation Initiative" for the period of June 1, 2010, through May 31, 2011.

07/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

64. 100937 **[Honoring Duane Kuiper and Mike Krukow in Recognition of their 20th Anniversary as San Francisco Giants Broadcasters]**
Sponsors: Dufty; Elsbernd
Resolution Honoring Duane Kuiper and Mike Krukow in recognition of their 20th Anniversary as San Francisco Giants broadcasters and wishing them the best over their next twenty years and beyond.

07/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

65. 100938 **[Support Assembly Bill 32 Regarding the CLEAR Act]**
Sponsor: Mirkarimi
Resolution in support of Assembly Bill 32 regarding the CLEAR Act pending in the United States Senate.

07/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

66. 100835 **[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 266-286 - 4th Street]**
Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of the fee simple interest in real property commonly known as 266-286 - 4th Street, San Francisco, California, Assessor's Parcel No. Block 3733, Lot 093, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

06/21/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

67. 100838 **[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 790 Market Street]**
Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of a subsurface easement in real property commonly known as 790 Market Street, San Francisco, California, Assessor's Parcel No. Block 0328, Lot 002, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

06/21/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

68. 100841 **[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 801 Market Street]**
Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

06/21/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

69. 100844 **[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 933-949 Stockton Street]**
Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of the fee simple interest in real property commonly known as 933-949 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

06/21/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

70. 100847 **[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 1455 Stockton Street]**
Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of a subsurface easement in real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot 001, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

06/21/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

71. 100947 [Final Map 5719 - 238 Olive Street; 1030 Franklin Street]

Motion approving Final Map 5719, an Eight Residential Unit Condominium Project, located at 238 Olive Street and 1030 Franklin Street being a subdivision of Lot No. 082 in Assessors Block No. 0719 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

07/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

72. 100948 [Final Map 5168 – 5600 3rd Street]

Motion approving Final Map 5168, a Five Lot Airspace Project, located at 5600 3rd Street being a subdivision of Lot No. 013 in Assessors Block No. 5421 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

07/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

73. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from July 6, 2010, to July 12, 2010, for reference by President to appropriate committee on July 20, 2010.

100917 **[Planning Code - Area Plan Impact Fee and Jobs-Housing Linkage Program Modifications]**

Ordinance amending the San Francisco Planning Code sections related to Area Plan Impact Fees (Rincon Hill, Market and Octavia, Eastern Neighborhoods, and Balboa Park) and Jobs-Housing Linkage Fee to improve Planning Code readability and ease of application with regard to impact fees; to create consistent definitions and application across the Area Plan Impact Fee and Jobs-Housing Linkage Fee provisions; to better recognize and account for the impact of existing conditions of development sites affected by the Area Plan Impact Fees and the Jobs-Housing Linkage Fee; to promote adaptive re-use of existing buildings in the Eastern Neighborhoods; to clarify the impact fees associated with the Eastern Neighborhoods' on-going "legitimization" program; and adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

07/08/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

100918 **[Mission Bay North-Blocks N3-N3A Public Infrastructure Improvements]**

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay North Blocks N3-N3A, including acquisition facilities on portions of King Street, Berry Street, Fourth Street, and Fifth Street; declaring such areas as shown on official Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; accepting a pedestrian access and utility easement relating to the project; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 178,752; and authorizing official acts in connection with this Ordinance. (Public Works Department)

07/09/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 6, 2010, to July 12, 2010, for reference by President to appropriate committee on July 20, 2010.

100919 **[Authorizing the Sheriff's Department to Amend its Contract with ARAMARK Correctional Services, LLC (Formally Known as ARAMARK Correctional Services, Inc.) for Jail Food Services - Not to Exceed $30,500,000]**
Resolution authorizing the Sheriff's Department to enter into a Third Amendment to the Agreement between the City and County and ARAMARK Correctional Services, LLC (ARAMARK), to increase the contract amount from $24,000,000 to an amount not to exceed $30,500,000 and to extend the contract term to June 30, 2012. (Sheriff)

07/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100920 **[Finding of Fiscal Feasibility - Cruise Terminal Project at Pier 27]**
Resolution finding the proposed cruise terminal project at Pier 27 is fiscally feasible pursuant to Administrative Code Chapter 29. (Port)

07/12/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100951 [Petitions and Communications]

Petitions and Communications received from July 6, 2010, through July 12, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on July 20, 2010.

From Department of Elections, notifying proponent that the Initiative Petition setting transit operator wages through collective bargaining did contain sufficient valid signatures to qualify for the upcoming November 2, 2010, Consolidated General Election to be held in the City and County of San Francisco. Copy: Each Supervisor (1)

From Clerk of the Board, the following individual has submitted a Form 700 Statement: Cassandra Costello, legislative aide, leaving (2)

From Assessor-Recorder, submitting their joint report summarizing the number of biotechnology businesses receiving the payroll expense tax exclusion, the amount of payroll expense tax excluded, and the property taxes paid by these businesses for 2009 and prior tax years. Copy: Each Supervisor (3)

From Department of Elections, notifying proponent that the initiative petition regarding additional voting at polling places on Saturday did contain sufficient valid signatures to qualify for the upcoming November 2, 2010, Consolidated General Election to be held in the City and County of San Francisco. Copy: Each Supervisor (4)

From Municipal Transportation Agency, submitting request for waiver of Administrative Code Chapter 12B for Swiger Coil Systems, Inc. (5)

From Clerk of the Board, the following departments have submitted their Sole Source contracts for FY2009-2010: (6)
Board of Supervisors/Clerk of the Board
Fire Department
Health Service System
Mayor's Office
Planning Department
Office of Citizens Complaints
Police Department
Department of Public Works
Port
Recreation and Park Department

From Office of the Controller, submitting their annual report of Municipal Code-Mandated Fee Reviews and Schedules for FY2010-2011. (7)

From concerned citizens, submitting opposition to the proposed alcohol tax. File No. 100865, 14 letters (8)

From Neighborhood Parks Council, submitting opposition to proposed Charter Amendment concerning the split appointments to the Municipal Transportation Agency Board of Directors. File No. 100633 (9)

From concerned citizens, submitting support for proposed policy changes for the 2011 Bay to Breakers race. 4 letters (10)

From Richard Hashimoto, submitting support for the restoration request of $50,000 for the Japantown Better Neighborhood Plan Organizing Committee. File No. 100701 (11)

From Clerk of the Board, in accordance with Administrative Code Section 10.100-305, the following department has submitted their annual report on gifts received in FY2009-2010. Copy: Each Supervisor (12)
Clerk of the Board
Public Library

From Office of the Clerk of the Board, submitting notice that their office did not receive any Watch Law requests during FY2009-2010. Copy: Each Supervisor (13)

From Office of the Mayor, regarding Initiative Ordinance on Hotel Tax. File No. 100798, Copy: Each Supervisor, Budget and Finance Clerk (14)

From Francisco Da Costa, regarding a Planning Department employee. (15)

From Planning Department, regarding publication and hearing dates for the draft Environmental Impact Report for the Treasure Island and Yerba Buena Island Redevelopment Project. (16)

From Board of Appeals, regarding proposed Charter Amendment Split Appointments to the Recreation and Park Commission. File No. 100633, Copy: Rules Committee Members (17)

From concerned citizens, regarding the Arizona boycott. 5 letters (18)

From concerned citizens, submitting various opinions on Sharp Park Golf Course. 4 letters (19)

From Clerk of the Board, the following departments have submitted their 2010 Local Agency Biennial Notices: (20)
District Attorney

From concerned citizens, regarding the Hunters Point Shipyard Development Plan. File No. 100861, 20 letters (21)

From Francisco Da Costa, regarding the many candidates in the next District 10 Supervisorial election. (22)

From Doug Comstock, submitting notice that City College Sunshine text is up for consideration at their next monthly meeting. (23)

From concerned citizens, submitting support for opening a Target store at the former Mervyn's site on Geary Boulevard. 2 letters (24)

From concerned citizens, submitting opposition to expanding parking meter hours/and or Sunday metering. 3 letters (25)

From San Francisco Tomorrow, submitting support for proposed Charter Amendment reforming the Recreation and Parks Commission. File No. 100633, Copy: Each Supervisor (26)

From Joseph Butler, regarding the project at 100 - 32 Avenue. File No. 100252, Copy: Each Supervisor (27)

From concerned citizens, regarding the ban on pet sales in San Francisco. (28)

From Su-Syin Chou, regarding the Redevelopment Agency Commission item approving the proposed changes to the budget for FY2010-2011, as recommended to the Budget and Finance Committee. Copy: Each Supervisor (29)

From Arthur Evans, regarding the pit bull attack that occurred near Transverse and JFK Drive in Golden Gate Park. (30)

From Francisco Da Costa, regarding communities of opportunity. (31)

From Kate Bernier, regarding a possible alternative to PG&E's Smart Meters. (32)

From Ivan Pratt, regarding HIV/AIDS community listening session activity. (33)

From Prudence Hull, submitting opposition to the proposed McLaren Park Disc Golf Course. (34)

From Tim Giangiobbe, regarding panhandling in San Francisco. (35)

From Ahimsa Porter Sumchai, commenting that the Metropolitan Transportation Commission violated the administrative appeal process by endorsing the Hunters Point Shipyard while the Environmental Impact Report was in appeal before the Board of Supervisors. (36)

From Tim Giangiobbe, submitting support for proposed legislation expanding the Entertainment Commission's power to revoke permits. File No. 100674. (37)

From Office of the Sheriff, submitting request for waiver of Administrative Code Chapters 12B and 12C for Rapid Notify, Inc. (38)

From Office of the Sheriff, submitting request for waiver of Administrative Code Chapter 14B for San Bruno Garbage Company, Inc. (39)

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT, in accordance with Section 1245.235 of the Code of Civil Procedure, the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

GOVERNMENT DOCUMENTS DEPT
JUL - 6 2010
SAN FRANCISCO PUBLIC LIBRARY

Date: **Tuesday, July 27, 2010**

Time: **3:00 p.m.**

Location: **Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA**

Subject: **Public Hearing to consider Property Acquisition - Eminent Domain, interest in real property: the fee simple interest in real property commonly known as 933-949 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements.**

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: the fee simple interest in real property commonly known at 933-949 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Schedule 1**, available in the official file for review in the Office of the Clerk of the Board.

The purpose of said hearing is to hear all persons interested in the matter. You have a right to appear and be heard on the matters referred to in California Code of Civil Procedure Section 1240.030, including, but not limited to, whether: (l) the public interest and necessity require the project and acquisition of the property identified above; (2) the project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the property

is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Owners of the property who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. The Board, at its discretion, need not give an opportunity to any other person to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled **"Resolution authorizing the acquisition of the fee simple interest in real property commonly known as 933-949 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1."**

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, July 22, 2010.

Angela Calvillo
Clerk of the Board

DATED: July 2, 2010
PUBLISHED: July 7, 2010

SCHEDULE 1

Legal Description for the fee simple interest in real property commonly known as 933-949 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Beginning at the point of intersection of the Southerly line of Washington Street and the Westerly line of Stockton Street; running thence Southerly along said line of Stockton Street 137 feet and 6 inches; thence at a right angle Westerly 72 feet and 4-3/4 inches; thence at a right angle Northerly 19 feet and 1-1/2 inches; thence at a right angle Westerly 3 feet and 7 inches; thence at a right angle Northerly 11 feet and 5 inches; thence at a right angle Easterly 3 feet and 7 inches; thence at a right angle Northerly 26 feet and 0-1/2 of an inch; thence at a right angle Easterly 7 inches; thence at a right angle Northerly 32 feet and 4 inches; thence at a right angle Westerly 1 foot and 6-1/2 inches; thence at a right angle Northerly 48 feet and 7 inches to the Southerly line of Washington Street; thence at a right angle Easterly along said line of Washington Street 73 feet and 4-1/4 inches to the point of beginning.

Being a portion of 50 Vara Block No. 136.

APN: Lot 1 Block 211

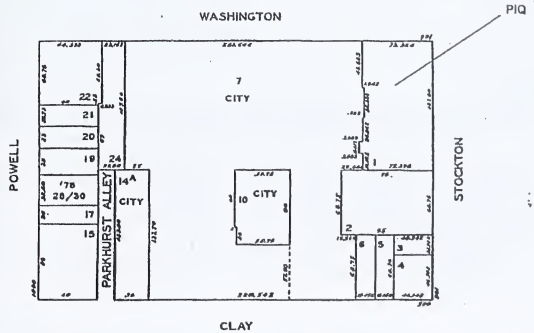
211

50 VARA BLOCK 138

REVISED 1978

LOTS MERGED

LOT 9 INTO LOT 7 - 1943
" 15 " " 16 " "
" 33 " " 35 " "
" 34 " " 37 " "
" 27 ASSESSED AS LOT 28-1947
" 26 INTO LOT 23 - 1953
" 8,9,10 " " 7 " 1978
" 12,14 " " 11 " "
" 31 " " 30 " "
" 29 " " 1 " "



1022 POWELL STREET

A CONDOMINIUM

LOT NO.	UNIT NO.	%COMMON AREA
28	1	33.333
29	2	33.333
30	3	33.333

ASSESSED 42,484
CITY 58,075
BLK. TOTAL 111,168 SQ. FT.

BOARD of SUPERVISORS

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Time: **3:00 p.m.**

Location: **Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA**

Subject: **Public Hearing to consider Property Acquisition - Eminent Domain, interest in real property: a subsurface easement in real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot 001, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements.**

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: a subsurface easement in real property commonly known at 1455 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot 001, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and related improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Schedule 1**, available in the official file for review in the Office of the Clerk of the Board.

The purpose of said hearing is to hear all persons interested in the matter. You have a right to appear and be heard on the matters referred to in California Code of Civil Procedure Section 1240.030, including, but not limited to, whether: (l) the public interest and necessity require the project and acquisition of the property identified above; (2) the project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the property

is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Owners of the property who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. The Board, at its discretion, need not give an opportunity to any other person to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled **"Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1."**

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, July 22, 2010.

Angela Calvillo
Clerk of the Board

DATED: July 2, 2010
PUBLISHED: July 7, 2010

SCHEDULE 1

Legal Description for a subsurface easement in real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot 001

EXHIBIT "A"

LEGAL DESCRIPTION

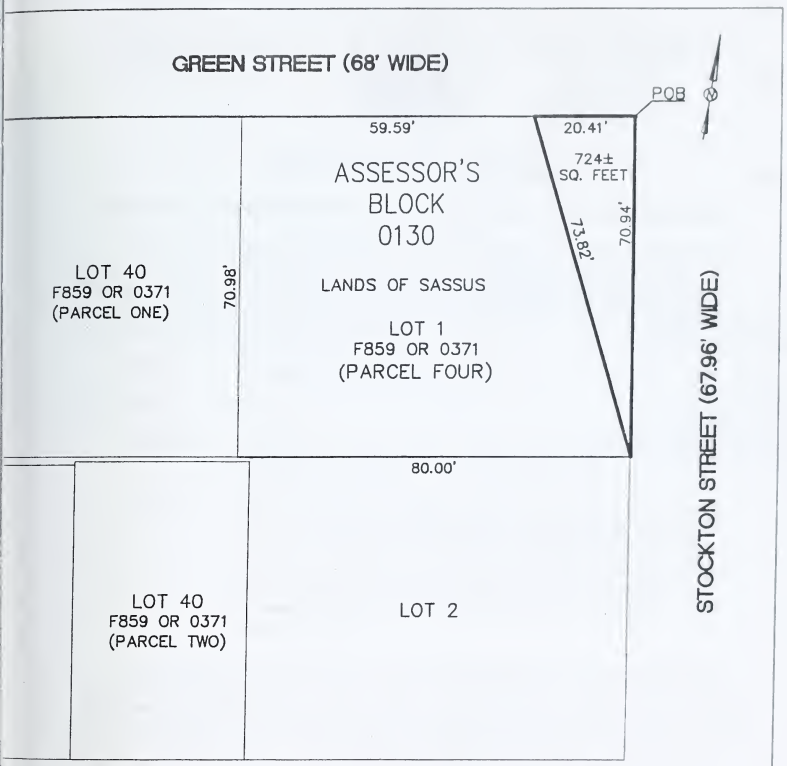
For a portion of 1455 Stockton Street, Assessor's Block 0130, Lot 001

All that certain real property situate in the City and County of San Francisco, State of California, being a vertical portion of a parcel of land, said parcel being a portion of the land described as Parcel Four in that deed recorded on April 16, 1993 in Reel F859 at Image 0371, Official Records of the Assessor-Recorder of the City and County of San Francisco, the upper elevation being defined by a plane of 52.20 feet, City of San Francisco Datum (intended to be 30.00 feet below existing ground surface) and the lower elevation defined by the center of the earth, said property more particularly described as follows:

Beginning at the intersection of the westerly line of Stockton Street with the southerly line of Green Street; thence westerly 20.41 feet along last said southerly line; thence southeasterly 73.86 feet to the most southeasterly corner of said Parcel Four, also being a point on said westerly line of Stockton Street; thence northerly 70.98 feet along last said westerly line to the point of beginning.

Containing 724 square feet, more or less.

Being a portion of 50 Vara Block No. 130
APN: 0130-001



LEGEND

———	BOUNDARY LINE
———	ROW
POB	POINT OF BEGINNING

NOTE

THIS PLAT FOR APPRAISAL PURPOSES ONLY – NOT FOR CONVEYANCE.

1:20

SCALE

CITY AND COUNTY OF SAN FRANCISCO,
STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC WORKS
BUREAU OF STREET USE AND MAPPING
DIVISION OF SURVEYS
PHONE: 415.554.5827
FAX: 415.554.5324

MUNICIPAL TRANSPORTATION AUTH
CENTRAL SUBWAY TAKE PARCEL
AB 0130 LOT 001

MAY 2009

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT, in accordance with Section 1245.235 of the Code of Civil Procedure, the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

GOVERNMENT
DOCUMENTS DEPT
JUL - 6 2010
SAN FRANCISCO
PUBLIC LIBRARY

Date: **Tuesday, July 27, 2010**

Time: **3:00 p.m.**

Location: **Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA**

Subject: **Public Hearing to consider Property Acquisition - Eminent Domain, interest in real property: the fee simple interest in real property commonly known as 266-286 4th Street, San Francisco, California, Assessor's Parcel No. Block 3733, Lot 093, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements.**

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: the fee simple interest in real property commonly known at 266-286 4th Street, San Francisco, California, Assessor's Parcel No. 3733, Lot 093, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and related improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Schedule 1**, available in the official file for review in the Office of the Clerk of the Board.

The purpose of said hearing is to hear all persons interested in the matter. You have a right to appear and be heard on the matters referred to in California Code of Civil Procedure Section 1240.030, including, but not limited to, whether: (l) the public interest and necessity require the project and acquisition of the property identified above; (2) the project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the property

is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Owners of the property who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. The Board, at its discretion, need not give an opportunity to any other person to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled **"Resolution authorizing the acquisition of the fee simple interest in real property commonly known as 266-286 4th Street, San Francisco, California, Assessor's Parcel No. Block 3733, Lot 093, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1."**

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, July 22, 2010.

Angela Calvillo
Clerk of the Board

DATED: July 2, 2010
PUBLISHED: July 7, 2010

SCHEDULE 1

Legal Description for the fee simple interest in real property commonly known as 266-286 4th Street, San Francisco, California, Assessor's Parcel No. Block 3733, Lot 093

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Parcel A:

Beginning at the point of intersection of the Southeasterly line of Clementina Street and the Southwesterly line of 4th Street; running thence Southwesterly and along said line of Clementina Street 80 feet; thence at a right angle Southeasterly 80 feet; thence at a right angle Northeasterly 80 feet to the Southwesterly line of 4th Street; thence at a right angle Northwesterly along said line of 4th Street 80 feet to the point of beginning.

Being a portion of 100 Vara Block No. 373.

Parcel B:

Beginning at a point on the Southwesterly line of 4th Street, distant thereon 55 feet Northwesterly from the Northwesterly line of Folsom Street; running thence Northwesterly and along said line of 4th Street 25 feet; thence at a right angle Southwesterly 80 feet; thence at a right angle Southeasterly 25 feet; thence at a right angle Northeasterly 80 feet to the point of beginning.

Being a portion of 100 Vara Block No. 373.

Parcel C:

Beginning at the point of intersection of the Northwesterly line of Folsom Street and the Southwesterly line of 4th Street; running thence Northwesterly along said line of 4th Street 55 feet; thence at a right angle Southwesterly 80 feet; thence at a right angle Southeasterly 55 feet to said line of Folsom Street; thence Northeasterly along said line of Folsom Street 80 feet to the point of beginning.

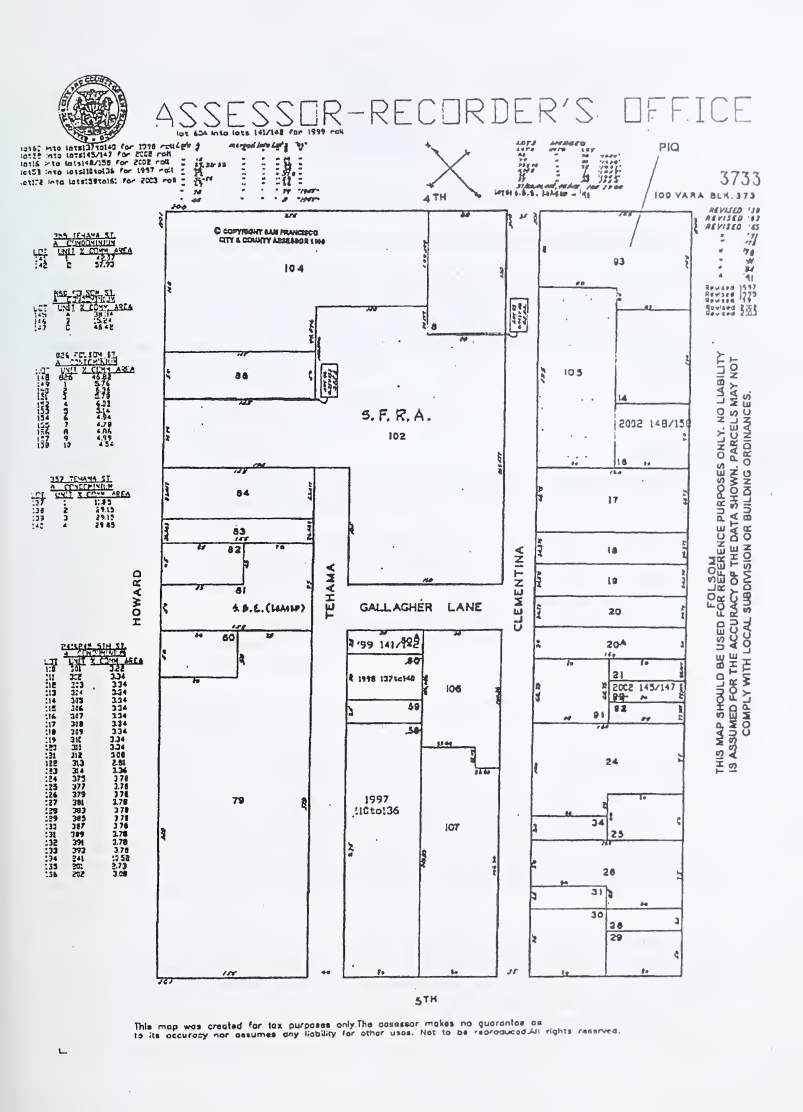
Being a portion of 100 Vara Block No. 373.

Parcel D:

Beginning at a point on the Northwesterly line of Folsom Street, distant thereon 80 feet Southwesterly from the Southwesterly line of 4th Street; running thence Southwesterly along said line of Folsom Street 25 feet; thence at a right angle Northwesterly 80 feet; thence at a right angle Northeasterly 25 feet; and thence at a right angle Southeasterly 80 feet to the point of beginning.

Being a portion of 100 Vara Block No. 373.

APN: 3733-093


ASSESSOR-RECORDER'S OFFICE
lot 62A into lots 141/142 for 1999 roll
PIQ
3733
100 VARA BLK. 373
REVISED '98
REVISED '83
REVISED '63
4TH
5TH
HOWARD
TEHAMA
CLEMENTINA
GALLAGHER LANE
S.F.R.A.
102
104
106
107
79
1997 110to136
1998 137to148
'99 141/142
2002 145/147
2002 148/150
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FOLSOM
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BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
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NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT, in accordance with Section 1245.235 of the Code of Civil Procedure, the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

GOVERNMENT
DOCUMENTS DEPT
JUL - 6 2010
SAN FRANCISCO
PUBLIC LIBRARY

Date: **Tuesday, July 27, 2010**

Time: **3:00 p.m.**

Location: **Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA**

Subject: **Public Hearing to consider Property Acquisition - Eminent Domain, interest in real property: a subsurface easement in real property commonly known as 790 Market Street, San Francisco, California, Assessor's Parcel No. Block 0328, Lot 002, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements.**

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: a subsurface easement in real property commonly known at 790 Market Street, San Francisco, California, Assessor's Parcel No. 0328, Lot 002, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and related improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Schedule 1**, available in the official file for review in the Office of the Clerk of the Board.

The purpose of said hearing is to hear all persons interested in the matter. You have a right to appear and be heard on the matters referred to in California Code of Civil Procedure Section 1240.030, including, but not limited to, whether: (l) the public interest and necessity require the project and acquisition of the property identified above; (2) the project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the property

is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Owners of the property who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. The Board, at its discretion, need not give an opportunity to any other person to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled **"Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 790 Market Street, San Francisco, California, Assessor's Parcel No. Block 0328, Lot 002, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1."**

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, July 22, 2010.

Angela Calvillo
Clerk of the Board

DATED: July 2, 2010
PUBLISHED: July 7, 2010

SCHEDULE 1

Legal Description for a subsurface easement in real property commonly known as 790 Market Street, San Francisco, California, Assessor's Parcel No. Block 0328, Lot 002

EXHIBIT "A"

LEGAL DESCRIPTION

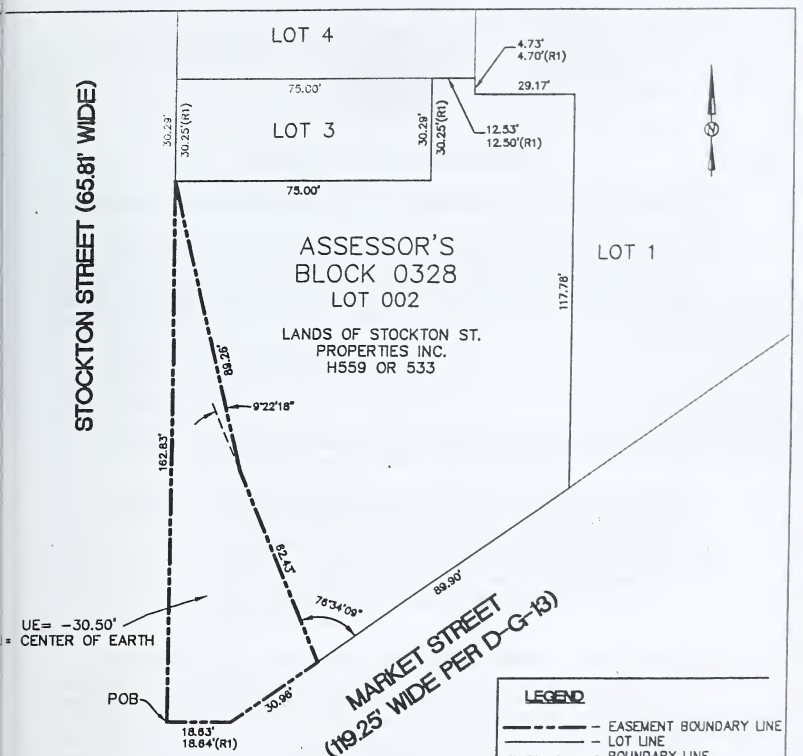
For a portion of 790 Market Street, Assessor's Block 0328, Lot 002

All that certain real property situate in the City and County of San Francisco, State of California, being a vertical portion of a parcel of land, said parcel being a portion of that parcel of land described in that deed recorded on January 25, 2000 in Reel H559 at Image 553, Official Records of the Assessor-Recorder of the City and County of San Francisco, the upper elevation being defined by a plane of -30.50 feet, City of San Francisco Datum (intended to be 60.00 feet below existing ground surface) and the lower elevation defined by the center of the earth, said property more particularly described as follows:

Beginning at the intersection of the easterly line of Stockton Street with the northerly line of Ellis Street; thence easterly 18.63 feet along last said northerly line to the northwesterly line of Market Street; thence northeasterly 30.96 feet along last said line; thence northwesterly 62.43 feet along a line having a deflection angle to the left of 76°34'09"; thence northwesterly 89.26 feet along a line having a deflection angle to the right of 9°22'18" to the northwesterly corner of said parcel as described in above said deed; thence southerly 162.83 feet along said easterly line of Stockton Street to the point of beginning.

Containing 3,277 square feet, more or less.

Being a portion of 50 Vara Block No. 122
APN: 0328-002



LEGEND

– – – – –	– EASEMENT BOUNDARY LINE
———	– LOT LINE
———	– BOUNDARY LINE
POB	– POINT OF BEGINNING
(R1)	– REFERENCE TO DEED H559 OR 533
UE	– UPPER ELEVATION
LE	– LOWER ELEVATION

NOTE

THIS PLAT FOR APPRAISAL PURPOSES ONLY – NOT FOR CONVEYANCE.

ITY AND COUNTY OF SAN FRANCISCO,
STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC WORKS
BUREAU OF STREET USE AND MAPPING
DIVISION OF SURVEYS
PHONE: 415.554.5827
FAX: 415.554.5324

MUNICIPAL TRANSPORTATION AUTHORITY
CENTRAL SUBWAY EASEMENT PARCEL
AB 0328 LOT 002

MAY 2009

BOARD of SUPERVISORS

City Hall
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GOVERNMENT
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SAN FRANCISCO
PUBLIC LIBRARY

Date: **Tuesday, July 27, 2010**

Time: **3:00 p.m.**

Location: **Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA**

Subject: **Public Hearing to consider Property Acquisition - Eminent Domain, interest in real property: a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements.**

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. 3705, Lot 48A, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and related improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Schedule 1**, available in the official file for review in the Office of the Clerk of the Board.

The purpose of said hearing is to hear all persons interested in the matter. You have a right to appear and be heard on the matters referred to in California Code of Civil Procedure Section 1240.030, including, but not limited to, whether: (l) the public interest and necessity require the project and acquisition of the property identified above; (2) the project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the property

is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Owners of the property who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. The Board, at its discretion, need not give an opportunity to any other person to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled **"Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1."**

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, July 22, 2010.

Angela Calvillo
Clerk of the Board

DATED: July 2, 2010
PUBLISHED: July 7, 2010

SCHEDULE 1

Legal Description for a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A

EXHIBIT "A"

LEGAL DESCRIPTION

For a portion of 801 Market Street, Assessor's Block 3705, Lot 048

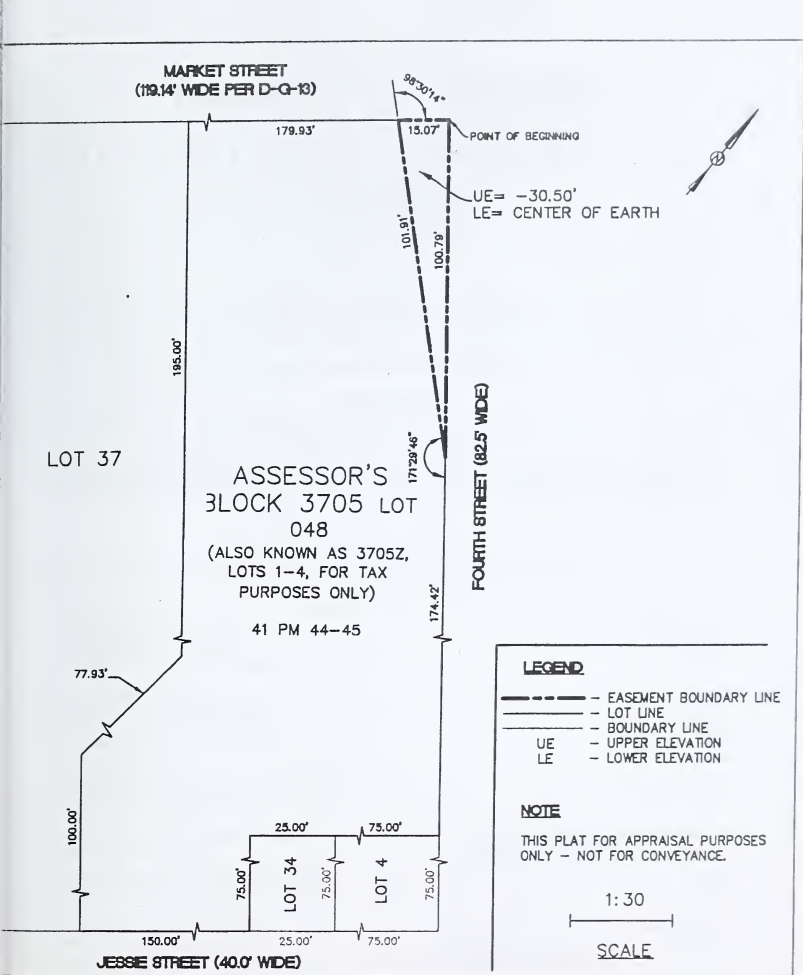
All that certain real property situate in the City and County of San Francisco, State of California, being a vertical portion of a parcel of land, said parcel being a portion of that certain parcel of land as shown on the Parcel Map recorded on June 18, 1992 in Book 41 of Parcel Maps at Pages 44 and 45, Official Records of the Assessor-Recorder of the City and County of San Francisco, the upper elevation being defined by a plane of -30.70 feet, City of San Francisco Datum (intended to be 60.00 feet below existing ground surface) and the lower elevation defined by the center of the earth, said property more particularly described as follows:

Beginning at the intersection of the southwesterly line of Fourth Street with the southeasterly line of Market Street; thence southeasterly 100.79 feet along said southwesterly line of Fourth Street; thence northwesterly 101.91 feet along a line having a deflection angle to the right of 171°29'46", to a point on the said southeasterly line of Market Street; thence northeasterly 15.07 feet along said southeasterly line of Market Street, said line having a deflection angle to the right of 98°30'14", to the point of beginning.

Being a portion of 100 Vara Block No. 371

Containing 759 square feet, more or less.

APN: 3705-048 (also known as 3705Z, Lots 1-4, for tax purposes only)



CITY AND COUNTY OF SAN FRANCISCO,
STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC WORKS
BUREAU OF STREET USE AND MAPPING
DIVISION OF SURVEYS
PHONE: 415.554.5827
FAX: 415.554.5324

MUNICIPAL TRANSPORTATION AUTHORITY
CENTRAL SUBWAY EASEMENT PARCEL
AB 3705 LOT 048

MAY 2009

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, July 27, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos	Wednesday 1:30 PM
Budget and Finance Sub-Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Daly	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

GOVERNMENT DOCUMENTS DEPT
JUL 23 2010
SAN FRANCISCO PUBLIC LIBRARY

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.
Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfbos.org/meetings
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.
AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

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In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES.

APPROVAL OF MEETING MINUTES

Approval of the June 22, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 5

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

1. 100703 **[Planning Code Amendments to Update Fees for Cost Recovery]**
Sponsor: Mayor
Ordinance amending the San Francisco Planning Code, Article 3.5, by amending Sections 350, 351, 352, 353, 354, 355, and 358, to increase fees 2.61%, and an additional 2.04% for all fees except those associated with small projects for cost recovery; add a new fee for Conditional Use Applications for Wireless Telecommunication Services Facilities; increase the Discretionary Review filing fee; and make other adjustments for cost recovery.

07/20/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 100724 **[Update to Environmental Review Fees to Increase Fees for Cost Recovery, Establish a New Fee for Mitigation and Conditions of Approval Monitoring, and Make Other Clarifying Changes]**

Sponsor: Mayor

Ordinance amending the San Francisco Administrative Code, Chapter 31, Articles IV and V, by amending Sections 31.22, 31.23, and 31.24, to increase all fees 2.61% which is the cost of living adjustment, and an additional 2.04% for cost recovery, further increase Categorical Exemption Class 32, Negative Declaration and Environmental Impact Report addendum fees for cost recovery, change the timing of Environmental Impact Report payments, add a new fee for mitigation and condition of approval monitoring, and for the Municipal Transportation Agency and Public Utilities Commission for Categorical Exemption Certificates, clarify phase collection payments and refund policy, and establish a processing fee for phased payments.

07/20/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

3. 100882 **[Waiver of Street Encroachment Permit Fee for Golden Gate Transportation District]**

Sponsor: Elsbernd

Ordinance waiving the street encroachment permit processing fee in Public Works Code Section 2.1.1(j) for signs related to bus service for the Golden Gate Bridge, Highway, and Transportation District.

07/20/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Mar

4. 100856 **[Settlement of Lawsuit - Jeffrey Bitton, Sandra Bitton and Micha Bitton - $48,500]**

Ordinance authorizing settlement of the lawsuit filed by Jeffrey Bitton, Sandra Bitton, and Micha Bitton against the City and County of San Francisco for $48,500; the lawsuit was filed on December 15, 2008, in the United States District Court, Northern District of California, Case No. C08-5585; entitled Jeffrey Bitton, et al. v. City and County of San Francisco, et al. (City Attorney)

07/20/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 100857 **[Settlement of Attorney's Fees/Costs Claim in Lawsuit - A.N.S.W.E.R. Coalition - $90,000]**

Ordinance authorizing settlement of the claim for attorney's fees and costs incurred by A.N.S.W.E.R. Coalition - San Francisco in litigation against the City and County of San Francisco for $90,000; the lawsuit was filed on June 16, 2006, in San Francisco Superior Court, Case No. CPF-06-506438; entitled A.N.S.W.E.R. Coalition - San Francisco v. City and County of San Francisco. (City Attorney)

07/20/2010, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

(Charter Section 9.100 provides the Board shall not adopt the Budget no later than August 1, 2010.)

6. 100701 **[Proposed Consolidated Budget and Annual Appropriation Ordinance, FYs Ending June 30, 2011, and June 30, 2012]**

Sponsor: Mayor

Proposed Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the FYs ending June 30, 2011, and June 30, 2012.

07/13/2010; CONTINUED ON FIRST READING.

07/20/2010; AMENDED.

07/20/2010; AMENDED.

07/20/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

7. 100747 **[Proposed Annual Salary Ordinance, FY Ending June 30, 2011, for all Departments, and for FY Ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission]**
Sponsor: Mayor
Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FY ending June 30, 2011, for all departments and for FY ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

07/13/2010; CONTINUED ON FIRST READING.

07/20/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Mirkarimi, Elsbernd, Maxwell, Campos

8. 100750 **[Increase the Real Property Transfer Tax]**
Sponsor: Avalos
Motion ordering submitted to the voters an ordinance authorizing an amendment to the Real Property Transfer Tax at an election to be held on November 2, 2010.

(Economic Impact.)

07/20/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

9. 100756 **[Establishing a Progressive Payroll Expense Tax Rate Structure and Reducing Selected Payroll Expense Tax Rates; Imposing a Gross Receipts Tax on the Rental of Commercial Real Property]**
Sponsor: Chiu
Motion ordering submitted to the voters an ordinance revising the payroll expense tax to establish a progressive tax rate structure and reducing selected payroll expense tax rates and imposing a gross receipts tax on the rental of commercial real property, at an election to be held on November 2, 2010.

(Economic Impact.)

07/20/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

10. 100759 [Parking Tax Increase and Tax on Valet Services]
Sponsor: Mirkarimi
Motion ordering submitted to the voters an ordinance authorizing the 'Ordinance amending San Francisco Business and Tax Regulations Code, Article 9, Sections 602 and 602.5 (Tax on Occupancy of Parking Space in Parking Station) to increase the tax rate from 15% to 25%, making the total tax rate, including the existing surcharge, 35%; amending Section 601 to clarify the definition of "Operator" and "Occupant" and to add a new definition of "Valet Parking Service Provider," and adding Section 602B to impose an additional tax of 35% on gross receipts from valet parking services" at an election to be held on November 2, 2010.

(Economic Impact)

07/20/2010, CONTINUED.

Question: Shall this Motion be APPROVED?

From the Board

11. 100989 [Bayview Hunters Point Redevelopment Plan]
Motion adopting findings in response to written objections to adoption of an amendment to the Bayview Hunters Point Redevelopment Plan delivered to the Clerk of the Board of Supervisors before or at the public hearing on adoption of the Redevelopment Plan, pursuant to the requirements of the California Community Redevelopment Law. (Clerk of the Board)

07/19/2010; REFERRED to the Board of Supervisors.

Question: Shall this Motion be APPROVED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Mar, Chiu

12. 100658 [Bayview Hunters Point Redevelopment Project Area]
Sponsors: Mayor; Maxwell
Ordinance approving and adopting an amendment to the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.

07/13/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Board

13. 100988 [Hunters Point Shipyard Redevelopment Plan]

Motion adopting findings in response to written objections to adoption of an amendment to the Hunters Point Shipyard Redevelopment Plan delivered to the Clerk of the Board of Supervisors before or at the public hearing on adoption of the Redevelopment Plan, pursuant to the requirements of the California Community Redevelopment Law. (Clerk of the Board)

07/19/2010; REFERRED to the Board of Supervisors.

Question: Shall this Motion be APPROVED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Mar, Chiu

14. 100659 [Hunters Point Shipyard Redevelopment Project Area]

Sponsors: Mayor; Maxwell

Ordinance approving and adopting an amendment to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.

07/13/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Board

15. 100772 [Report of Assessment Costs for Sidewalk and Curb Repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

06/29/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

16. 100891 **[Report of Assessment Costs for Blighted Property Located at 1232 Noriega Street]**
Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted property located at 1232 Noriega Street ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund.

06/29/2010, DIVIDED

06/29/2010, CONTINUED

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Elsbernd

17. 100606 **[California Environmental Quality Act Findings for San Francisco Public Utilities Commission Crystal Springs/San Andreas Transmission Upgrade Project]**
Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Crystal Springs/San Andreas Transmission Upgrade Project, part of the Water System Improvement Program for the improvements to the regional water supply system, otherwise known as Project No. CUW37101, including the Mitigation Habitat Actions at two sites in San Mateo County; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

18. 100814 **[Amendment to Treasure Island Development Authority Contract with AMEC Geomatrix, Inc. - Not to Exceed $1,799,000]**
Sponsor: Mayor
Resolution approving an amendment to the contract between the Treasure Island Development Authority and AMEC Geomatrix, Inc. to extend the term through June 30, 2011, and to increase the contract by an amount not to exceed $180,000 for a new total amount not to exceed $1,799,000 for environmental consulting services.

Question: Shall this Resolution be ADOPTED?

19. 100860 **[Amendment to Maintenance and Management Agreement Between the San Francisco Port Commission and the San Francisco Redevelopment Agency for Rincon Park]**
Resolution authorizing and directing the Port Executive Director to retroactively execute the Third Amendment to the Maintenance and Management Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco for the maintenance and management of Rincon Park by the Port, extending the term of the Agreement from July 1, 2010, to June 30, 2013. (Port)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Chiu

20. 100693 [Mission Bay North-Block N1 Public Infrastructure Improvements]

Ordinance accepting of the irrevocable offer of additional property along Townsend Street, King Street, and Fourth Street and the irrevocable offer of public infrastructure improvements associated with Mission Bay North Block N1, including acquisition facilities on Third Street, Townsend Street, King Street, and Fourth Street; declaring such areas as shown on official Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; designating street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 178,676; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 100852 [Mission Bay South - Park P17 Improvements]

Ordinance dedicating a portion of State Trust Parcel 5, known as Park P17, lying along Mission Bay Boulevard North, Mission Bay Boulevard South and Terry A. Francois Boulevard for public use and naming the new park "Commons Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,716 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 100853 [Mission Bay South - Park P18 Improvements]

Ordinance dedicating a portion of State Trust Parcel 5, known as Park P18, lying along Terry A. Francois Boulevard between Mission Bay Boulevard North and China Basin Street for public use and naming the new park "Bayfront Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,715 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 100883 **[Agreement Regarding the Exchange of Fire Station No. 1 Located at 676 Howard Street and Portions of Hunt Street for 935 Folsom Street and a Replacement Fire Station]**

Sponsor: Mayor

Ordinance authorizing the Director of Property to execute a conditional land disposition and acquisition agreement with the San Francisco Museum of Modern Art and its affiliate (collectively, Museum) for the proposed future conveyance by the City and County of San Francisco (City) to Museum of real property located at 676 Howard Street, San Francisco (Fire Station No. 1) and all of that portion of Hunt Street within Block No. 3722, collectively, in exchange for conveyance by Museum to City of a parcel of real property located at 935 Folsom Street, a new fire station to be constructed by or on behalf of Museum on such parcel, and an easement for parking purposes adjacent to such parcel; exempting from the competitive bidding and contract requirements of Chapter 6 of City's Administrative Code all contracts to be entered into by Museum for the design and construction of the new fire station and the improvement of such parcel and parking easement; and making findings, including findings of consistency with the General Plan and Planning Code Section 101.1(b).

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 100639 **[Permits for Commercial Parking Garages and Lots]**

Sponsor: Alioto-Pier

Ordinance amending sections of the San Francisco Police Code, Business and Tax Regulations Code and Fire Code to: (1) transfer responsibility for parking garage and parking lot permits from the Fire Department to the Police Department; (2) require a commercial parking permit to operate a garage or lot where members of the public can park for a charge; set fees; establish permit issuance, suspension and revocation procedures; establish requirements for permit holders and individuals working at parking garages and lots; and (3) limit the term of a commercial parking permit to one year and require annual application for a commercial parking permit.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 100467 **[Zoning Map Amendment for One Capitol Avenue]**

Ordinance amending Section Maps ZN12 of the Zoning Maps of the City and County of San Francisco for the real property at One Capitol Avenue (Assessor's Block No. 7148/Lot No. 040), to reclassify the property from a P (Public) Zoning District to an RH-1 (Residential, House, One-Family) Zoning District; and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 100804 **[Interim Zoning - Requiring Conditional Use Authorization for Change in Use or Reduction of Child Care Facilities]**

Sponsors: Alioto-Pier; Dufty, Daly, Chiu and Maxwell

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size of any child care facility that serves more than 13 children, for an 18 month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisrors Maxwell, Mar, Chiu

27. 100572 [CEQA Findings, Candlestick Point - Hunters Point Shipyard Phase II Project]
Sponsors: Mayor; Maxwell
Resolution adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations in connection with the development of the Hunters Point Shipyard and Candlestick Point, as envisioned in the Hunters Point Shipyard Redevelopment Plan, the Bayview Hunters Point Redevelopment Plan, and the Conceptual Framework for integrated development of the Hunters Point Shipyard and Candlestick Point endorsed by the Board of Supervisors and the Mayor in May 2007 and approved by the voters in 2008 through passage of Proposition G, the Jobs, Parks and Housing Initiative.

Question: Shall this Resolution be ADOPTED?

28. 100574 [General Plan Amendments - Candlestick Point Activity Node and Hunters Point Shipyard Phase 2 Project]
Sponsors: Mayor; Maxwell
Ordinance amending the San Francisco General Plan by amending the Bayview Hunters Point Area Plan, the Transportation Element, the Recreation and Open Space Element, the Commerce and Industry Element, maps and figures in various Elements, and the Land Use Index, and by adopting and adding the Candlestick Point Subarea Plan and the Hunters Point Area Plan, in order to facilitate the development of the Hunters Point Shipyard and Candlestick Point, as envisioned in the Hunters Point Shipyard Redevelopment Plan, the Bayview Hunters Point Redevelopment Plan, and the Conceptual Framework for integrated development of the Hunters Point Shipyard and Candlestick Point endorsed by the Board of Supervisors and the Mayor in May 2007 and approved by the voters in 2008 through passage of Proposition G, the Jobs, Parks and Housing Initiative; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 100575 [Hunters Point Shipyard - Health Code Amendment]
Sponsors: Mayor; Maxwell
Ordinance amending Article 31 of the Health Code to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply to Hunters Point Shipyard Parcel A to address potential residual contamination, and imposing fees to administer this Article; amending Sections 804 and 1227 of the Health Code to make conforming amendments; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 100576 **[Hunters Point Shipyard - Public Works Code Amendment]**
Sponsors: Mayor; Maxwell
Ordinance amending the Public Works Code to amend Section 2.3.1 to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply at Hunters Point Shipyard Parcel A to address potential residual contamination and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 100577 **[Hunters Point Shipyard - Building Code Amendment]**
Sponsors: Mayor; Maxwell
Ordinance amending the Building Code to amend Section 106A.3.2.5 to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply at Hunters Point Shipyard Parcel A to address potential residual contamination and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 100578 **[Zoning Map Amendments - Candlestick Point Activity Node and Hunters Point Shipyard Phase 2 Project]**
Sponsors: Mayor; Maxwell
Ordinance amending the San Francisco Planning Code by amending Sectional Maps SU09 and SU010 of the Zoning Map of the City and County of San Francisco to establish the Candlestick Point Activity Node Special Use District and the Hunters Point Shipyard Phase 2 Special Use District; amending Sectional Maps HT09 and HT010 to establish the CP Height and Bulk District and the HP Height and Bulk District; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1; providing for an operative date.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 100579 **[Zoning - Establishment of the Candlestick Point Activity Node Special Use District, the Hunters Point Shipyard Phase 2 Special Use District, and Special Height and Bulk Provisions for the Special Use Districts]**
Sponsors: Mayor; Maxwell
Ordinance amending the San Francisco Planning Code by adding Section 249.50 to establish the Candlestick Point Activity Node Special Use District; adding Section 249.51 to establish the Hunters Point Shipyard Phase 2 Special Use District; adding Section 263.24 to establish Special Height Provisions for the Candlestick Point Activity Node Special Use District and the CP Height and Bulk District; adding Section 263.25 to establish Special Height Provisions for the Hunters Point Shipyard Phase 2 Special Use District and the HP Height and Bulk District; and amending Table 270, to provide that the Table is not applicable to the Candlestick Point Activity Node Special Use District and the Hunters Point Shipyard Phase 2 Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1; providing for an operative date.

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 100661 [Subdivision Code - Candlestick Point and Hunters Point Shipyard]
Sponsors: Mayor; Maxwell
Ordinance amending the Hunters Point Shipyard Subdivision Code to rename the Code's Division 3 title and make various amendments pertaining to the subdivision process in Phase 2 of the Hunters Point Shipyard Redevelopment Plan and Zone 1 of the Bayview Hunters Point Redevelopment Project Area, including the establishment of a procedure for reviewing and filing vesting tentative transfer maps; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 100660 [Candlestick Point and Shipyard Phase 2 Redevelopment Project - Real Property Transfer and Public Trust Exchange]
Sponsors: Mayor; Maxwell
Resolution approving and authorizing the execution, delivery and performance of: (1) a Real Property Transfer Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco for Certain City Property at Candlestick Point, and (2) a Title Settlement, Public Trust Exchange and Boundary Line Agreement between the City and County of San Francisco (acting by and through the Board of Supervisors and through the Port Commission), the Redevelopment Agency of the City and County of San Francisco, the California State Lands Commission and the California Department of Parks and Recreation, both agreements being in furtherance of the Candlestick Point and Phase 2 of the Hunters Point Shipyard Redevelopment Project.

Question: Shall this Resolution be ADOPTED?

36. 100662 [Tax Increment Allocation Pledge Agreement for the Candlestick Point and Phase 2 of the Hunters Point Shipyard Project]
Sponsors: Mayor; Maxwell
Resolution approving a Tax Increment Allocation Pledge Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco for the pledge of net available tax increment to finance public improvements and affordable housing in furtherance of the Candlestick Point and Phase 2 of the Hunters Point Shipyard Redevelopment Project; adopting findings under the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

37. 100054 [Workforce Development - Public Service Academies]
Sponsor: Mirkarimi
Ordinance amending the San Francisco Administrative Code by adding Sections 30.30 through 30.35, to establish public safety and public health training programs for San Francisco Unified School District high school students.

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 100674 **[Expanding the Entertainment Commission's Power to Revoke Permits]**
Sponsor: Chiu
Ordinance amending Sections 1060.20.4 and 1070.20 of the San Francisco Police Code to expand the grounds for revocation of place of entertainment permits, extended-hours premises permits, and one time event permits to include: (1) public safety considerations, where operation of the permit poses a substantial risk of physical harm or injury to individuals, and (2) where the permittee's persistent action or inaction causes serious and continuing problems that amount to a public nuisance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

39. 100854 **[Approval of the San Francisco Child and Family Services Review - System Improvement Plan for the San Francisco Human Services Agency and Juvenile Probation Departments]**
Resolution approving San Francisco's Child and Family Services Review - System Improvement Plan, a strategic plan that: (1) outlines how San Francisco will improve prioritized outcomes for children, youth, and families; (2) serves as the operational agreement between the county and state; and (3) includes plans for utilizing Child Abuse Prevention, Intervention, and Treatment; Community Based Child Abuse Prevention; and Promoting Safe and Stable Families revenues to prevent child maltreatment. (Human Services Department)

Question: Shall this Resolution be ADOPTED?

40. 100869 **[Accept and Expend Grant - Airport K-9 Explosives Detection Team Program - $700,500]**
Sponsor: Elsbernd
Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of $700,500 from the Transportation Security Administration for the Airport K-9 Explosives Detection Team Program.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

41. 100897 **[Appointment, Police Commission - Carol Kingsley]**
Motion confirming the Mayor's nomination of, and appointing, Carol Kingsley to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2014. (Clerk of the Board)

(Section 4.109 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - July 1, 2010)

Question: Shall this Motion be APPROVED?

42. 100760 **[Community Policing and Foot Beat Patrols]**
Sponsors: Mirkarimi; Chiu, Avalos, Campos and Mar
Motion ordering submitted to the voters an ordinance establishing the Community Policing Policy and Foot Beat Patrol Program at an election to be held on November 2, 2010.

Question: Shall this Motion be APPROVED?

43. 100953 **[Community Policing and Foot Beat Patrols]**
Sponsors: Mirkarimi; Chiu and Mar
Motion ordering submitted to the voters an ordinance at an election to be held on November 2, 2010, establishing the Community Policing Policy and Foot Beat Patrol Program and supplanting any City ordinance the voters approve at the November 2, 2010, election that bans lying or sitting on public sidewalks.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 100841, approved July 20, 2010.)

44. 100842 **[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain for Central Subway/Third Street Light Rail Extension - 801 Market Street]**
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report

45. 100843 **[Authorizing the Acquisition of Subsurface Real Property Easement By Eminent Domain for Central Subway/Third Street Light Rail Extension - 801 Market Street]**

Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 100835, approved July 20, 2010.)

46. 100836 **[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property By Eminent Domain for Central Subway/Third Street Light Rail Extension - 266-286 - 4th Street]**

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a fee simple interest in real property commonly known as 266-286 - 4th Street, San Francisco, California, Assessor's Parcel No. Block 3733, Lot 093, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report

47. 100837 **[Authorizing the Acquisition of Fee Simple Interest By Eminent Domain for Central Subway/Third Street Light Rail Extension - 266-286 - 4th Street]**
Resolution authorizing the acquisition of a fee simple interest in real property commonly known as 266-286 - 4th Street, San Francisco, California, Assessor's Parcel No. Block 3733, Lot 093, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 100847, approved July 20, 2010.)

48. 100848 **[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property By Eminent Domain for Central Subway/Third Street Light Rail Extension - 1455 Stockton Street]**
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report

53. 100846 **[Authorizing the Acquisition of Fee Simple Interest By Eminent Domain for Central Subway/Third Street Light Rail Extension - 933-949 Stockton Street]**
Resolution authorizing the acquisition of a fee simple interest in real property commonly known as 933-949 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

54. 100987 **[Committee of the Whole - San Francisco Municipal Transportation Agency - Appointments Policy and Other Procedures]**
Hearing of persons interested in or objecting to the amendments to the proposed Charter Amendments (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 8A.100, 8A.101, 8A.102, 8A.104, 8A.105, 8A.106, 8A.107, 8A.108, 8A.113, A8.409-1, A8.409-4, and A8.428, and repealing Section A8.404, to: provide for split appointments to the San Francisco Municipal Transportation Agency (MTA) Board of Directors; allocate a share of property tax revenues to the Transportation Fund; require the MTA to resubmit an Agency budget if its budget is rejected by the Board of Supervisors; establish an Office of the MTA Inspector General; and, eliminate formulas governing operator wages and benefit payments and subject these matters instead to collective bargaining. (Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report

55. 100637 [San Francisco Municipal Transportation Agency - Appointments Policy and Other Procedures]

Sponsors: Campos; Mirkarimi, Chiu and Mar

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 8A.100, 8A.101, 8A.102, 8A.104, 8A.105, 8A.106, 8A.107, 8A.108, 8A.113, A8.409-1, A8.409-4, and A8.428, and repealing Section A8.404, to: provide for split appointments to the San Francisco Municipal Transportation Agency (MTA) Board of Directors; allocate a share of property tax revenues to the Transportation Fund; require the MTA to resubmit an Agency budget if its budget is rejected by the Board of Supervisors; establish an Office of the MTA Inspector General; and, eliminate formulas governing operator wages and benefit payments and subject these matters instead to collective bargaining.

07/20/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/20/2010; CONTINUED AS AMENDED.

Question: Shall this Charter Amendment be SUBMITTED?

56. 100982 [San Francisco Municipal Transportation Agency - Appointments Policy and Other Procedures]

Sponsors: Campos; Mirkarimi, Chiu and Mar

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 8A.100, 8A.101, 8A.102, 8A.104, 8A.105, 8A.106, 8A.107, 8A.108, 8A.113, A8.409-1, A8.409-4, and A8.428, and repealing Section A8.404, to: provide for split appointments to the San Francisco Municipal Transportation Agency (MTA) Board of Directors; allocate a share of property tax revenues to the Transportation Fund; require the MTA to resubmit an Agency budget if its budget is rejected by the Board of Supervisors; establish an Office of the MTA Inspector General; and, eliminate formulas governing operator wages and benefit payments and subject these matters instead to collective bargaining.

07/20/2010; AMENDED.

07/20/2010; CONTINUED AS AMENDED.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 57 through 64

57. 100935 **[Supporting Eddy Zheng's Application to Remain Lawfully in the United States]**

Sponsors: Chiu; Mar, Avalos, Mirkarimi, Campos, Chu and Maxwell

Resolution urging the Honorable Arnold Schwarzenegger, Governor of California, to grant Xiao Fei "Eddy" Zheng a full pardon and allow him to remain in the United States and to continue to serving youth in the San Francisco Bay Area community.

07/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

07/20/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

58. 100902 [Committee of the Whole - Public Hearing on Special Assessment of Liens for Assessment of Cost]

Motion directing the Board of Supervisors to hold a public hearing on August 3, 2010, with the Board sitting as a Committee of the Whole, to consider adopting a Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, and Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection, for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board)

06/30/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

59. 100975 [Accept and Expend Grant - Polling Place Accessibility Training Program - Not to Exceed $5,000]

Sponsor: Alioto-Pier

Resolution authorizing the San Francisco Department of Elections to accept and expend a grant in an amount not to exceed $5,000 for improving polling place accessibility in accordance with the California Secretary of State's Help America Vote Act Polling Place Accessibility Training Program.

07/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

60. 100977 [Requesting the Planning Commission or Planning Department to Extend the Public Comment Period on the California Pacific Medical Center's Draft Environmental Impact Report to a Minimum of 90 Days and Conduct Two Public Hearings on the Environmental Impact]

Sponsor: Campos

Resolution requesting that the Planning Commission or Planning Department extend the public comment period on the California Pacific Medical Center's Draft Environmental Impact Report to a minimum of 90 days and conduct two public hearings on the Environmental Impact Report because of the project's exceptional size and complexity and so the public can conduct a thorough review and offer thoughtful input.

07/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

61. 100978 [Commending Patricia M. Pendergast]

Sponsor: Chu

Resolution commending Patricia M. Pendergast, Principal Personnel Analyst and Manager of Examination and Recruitment for the San Francisco Public Utilities Commission, upon her retirement after forty-one years of dedicated service.

07/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

62. 100981 **[Honoring Kelly Clark and the We Ride 3000 Team]**
Sponsor: Dufty
Resolution honoring Kelly Clark and the We Ride 3000 Team in recognition of their 3,200 mile bike ride across the United States, from San Francisco to Washington D.C., in advocacy for public education awareness.

07/20/2010, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

63. 100961 **[Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 2, 2010, Election]**
Motion authorizing preparation of written proponent and opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 2, 2010, Election. (Clerk of the Board)

07/20/2010, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

64. 100986 **[Directing the Budget and Legislative Analyst to Audit the San Francisco Office of the Public Defender]**
Sponsor: Daly
Motion directing the Budget and Legislative Analyst to audit the San Francisco Office of the Public Defender.

07/20/2010, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

65. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from July 13, 2010, to July 19, 2010, for reference by President to appropriate committee on July 27, 2010.

100954 **[Settlement of Lawsuit - Ricardo Rodriguez - $30,000]**
Ordinance authorizing settlement of the lawsuit filed by Ricardo Rodriguez against the City and County of San Francisco for $30,000; the lawsuit was filed on February 19, 2009, in Superior, Case No. CGC09-485133; entitled Ricardo Rodriguez v. City and County of San Francisco, et al. (City Attorney)

07/16/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100955 **[Settlement of Lawsuit - Stanislaus Imports - $245,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Stanislaus Imports against the City and County of San Francisco for $245,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

07/16/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100956 **[Settlement of Lawsuit - Monte & Joanne Stott and Stott & Associates, Inc. - $32,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Monte & Joanne Stott and Stott & Associates, Inc. against the City and County of San Francisco for $32,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

07/16/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100957 **[Settlement of Lawsuit - Yannick Constant - $32,500]**
Ordinance authorizing settlement of the lawsuit filed by Yannick Constant against the City and County of San Francisco for $32,500; the lawsuit was filed on April 21, 2008 in San Francisco Superior Court, Case No. 474485; entitled Yanick Constant v. City and County of San Francisco, et al. (City Attorney)

07/16/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100958 **[Settlement of Lawsuit - Icenogle IMR Joint Venture - $1,330,000]**
Ordinance authorizing settlement of the lawsuit filed by Icenogle IMR Joint Venture against the City and County of San Francisco for $1,330,000; the lawsuit was filed on September 24, 2007, in San Francisco County Superior Court, and subsequently transferred to Alameda County Superior Court, Case No. RG08391219; entitled Icenogle IMR Joint Venture v. City and County of San Francisco, et al.; other material terms of said settlement are: (1) mutual releases except for latent defects, (2) dismissal of all complaints and cross-complaints with prejudice, (3) each side to bear its own attorneys fees and costs, and (4) plaintiff to be responsible for resolving outstanding stop notices. (City Attorney)

07/19/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100959 **[Settlement of Lawsuit - Carlos Garcia - $2,400,000]**
Ordinance authorizing settlement of the lawsuit filed by Carlos Garcia against the City and County of San Francisco for $2,400,000; the lawsuit was filed on December 5, 2005, in San Francisco Superior Court, Case No. CGC-05-447342; entitled Carlos Garcia, et al. v. City and County of San Francisco, et al. (City Attorney)

07/19/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100960 **[Settelment of Lawsuit - CCSF v. Underground Construction Co., et al. - $29,000]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Underground Construction Co., et al. by accepting the payment of $29,000 to the City and County of San Francisco; $23,200 from Underground Construction Co. and $5,800 from State Farm; the lawsuit was filed on February 24, 2009, in San Francisco Superior Court, Case No. CGC-09-485059; entitled City and County of San Francisco, et al., v. Underground Construction Co., et al. (City Attorney)

07/19/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100990 **[Petitions and Communications]**
Petitions and Communications received from July 13, 2010, through July 19, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on July 27, 2010.

From Clerk of the Board, the following departments have submitted their Sole Source contracts for FY2009-2010: (1)
Airport
Asian Art Museum
Fine Arts Museums
War Memorial and Performing Arts Center
Office of the City Attorney
Department of Children, Youth and Their Families
Mayor's Office of Housing

From concerned citizens, submitting opposition to proposed legislation concerning alcohol tax. File No. 100865, Copy: Budget and Finance Committee, 25 letters (2)

From Arthur Evans, regarding sitting or lying on public sidewalks. (3)

From Richard Harris, on behalf of 4,500 members of the S.F. Public Golf Alliance, submitting opposition to proposed Charter Amendment to change appointments to the Recreation and Parks Commission. File No. 100633 (4)

From Office of the Mayor, submitting notices of the following appointments, effective July 15, 2010: Copy: Rules Committee Clerk (5)
Mark Breitenberg, Arts Commission
Shirley Breyer Black, Human Rights Commission
Beverly Hayon, Library Commission
Mark Buell, Recreation and Parks Commission
Rebecca Prowda, Commission on the Status of Women

From Office of the Mayor, submitting the reappointment of Mark Garcia to the Board of Appeals. Copy: Rules Committee Members and Clerk (6)

From Office of the Mayor, submitting the appointment of Cheryl Brinkman to the Municipal Transportation Agency Board of Directors. Copy: Rules Committee Members and Clerk (7)

From Office of the Mayor, submitting the appointment of Maureen Kelley to the City Hall Preservation Advisory Commission. Copy: Rules Committee Members and Clerk (8)

From concerned citizens, submitting opposition to proposed Charter Amendment to change appointments to the Recreation and Parks Commission. File No. 100633, 2 letters (9)

From Entertainment Commission, submitting the 3rd Quarter Report of the Entertainment Commission per the requirement of the S.F. Police Code Section 1070.35. (10)

From Office of the Controller, submitting report concerning the audit of Quantas Airways Limited. Copy: Each Supervisor (11)

From Small Business Commission, submitting recommendation for proposed legislation concerning permits for commercial parking garages and lots. File No. 100639 (12)

From Small Business Commission, submitting recommendation for proposed legislation concerning requiring Conditional Use Authorization for change in use or reduction of child care facilities File No. 100804 (13)

From Office of the Treasurer & Tax Collector, submitting report concerning the investment activity for fiscal year-to-date of the portfolios under the Treasurer's management (14)

From Protect Our Benefits, urging Supervisor Elsbernd to withdraw the proposed Charter Amendment concerning Health Service Board Terms and Elections. File No. 100634, Copy Each Supervisor, Rules Committee Clerk (15)

From Verna Poon, submitting opposition to proposed Charter Amendment concerning Establishment of Rent Board in Charter, Appointment and Removal of Members and Alternate Members. File No. 100636 (16)

From Commission on the Environment, submitting the Annual Biodiesel Access Task Force Attendance Report for FY2009-2010. (17)

From Commission on the Environment, submitting the Annual Urban Forestry Council Attendance Report for FY2009-2010. (18)

From concerned citizens, regarding the Hunters Point Shipyard - Candlestick Development Plan. File No. 100861, 9 letters (19)

From Clerk of the Board, the following departments have submitted their 2010 Local Agency Biennial Notices: (20)
District Attorney

From Paul Nisbett, concerning receiving a ticket for $175.00 for having an open container of beer in Huntington Park. (21)

From Aaron Goodman, regarding memo submitted to the Planning Department regarding Parkmerced Draft Environmental Impact Report. (22)

From concerned citizens, submitting support for the implementation of Assembly Bill 1421, "Laura's Law" regarding assisted outpatient treatment. File No. 100751, Copy: Each Supervisor, Approximately 35 letters (23)

From concerned citizens, submitting opposition to the implementation of Assembly Bill 1421, "Laura's Law" regarding assisted outpatient treatment. File No. 100751, Copy: Each Supervisor, Approximately 15 letters (24)

From Police Department, reporting on the 2010 Bay to Breakers race. (25)

From Port, submitting their contracting activities as legally required by the City and County of San Francisco through its Administrative Code or based upon policies and practices adopted by the Port Commission. (26)

From Shannon Benner, regarding a MUNI employee parking in a handicapped spot. (27)

From Department of Elections, notifying proponent that the Initiative Petition regarding Hotel Tax did contain sufficient valid signatures to qualify for the upcoming November 2, 2010, Consolidated General Election to be held in the City and County of San Francisco. Copy: Each Supervisor (28)

From Manilatown Heritage Foundation, withdrawing their appeal for 900 Folsom Street and 260-5th Street. File Nos. 100786 and 100790, Copy: Each Supervisor (29)

From Yolanda, submitting support for funding the Supportive Housing Employment Collaborative. (30)

From Jirl Cruz, submitting support for the proposed ban on pet sales in San Francisco. (31)

From Susan Ivey, submitting her reasons for never planning to visit San Francisco again. (32)

From California State Parks Foundation, submitting notice that the California State Parks Foundation is no longer participating in the appeal to certify the Final Environmental Impact Report for the Candlestick Point Hunters Point Shipyard Phase II Development Plan Project. File No. 100861, Copy: Each Supervisor (33)

From Tim Giangiobbe, regarding pension reform in San Francisco. (34)

From Artie, regarding Senate Bill 1070. (35)

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal, and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: **Tuesday, August 3, 2010**

Time: **3:00 p.m.**

Location: **Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA**

Subject: **Public Hearing to consider in or objecting to the report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3 Section 108A, and Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection, for services rendered by said department of costs thereof having accrued pursuant to Code Violations referenced above.**

GOVERNMENT
DOCUMENTS DEPT

JUL 15 2010

SAN FRANCISCO
PUBLIC LIBRARY

A copy of the report is attached, which contains the names of the persons liable for the tax, the total amount due, including delinquent taxes, penalties and interest, and a description of the real property that was transferred by the document recorded without full payment of tax.

At the public hearing, the Board of Supervisors will hear objections which may be raised by any property owner liable to be assessed, and may make such corrections, revisions or modifications to the report as it deems just. Confirmation of the report by the Board of Supervisors will result in special assessments of the property and addition of these assessments to the tax roll.

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, 94102. Information relating to this matter is available in the Office of the Clerk of the Board, and agenda information relating to this matter will be available for public review on Thursday, July 29, 2010.

Angela Calvillo
Clerk of the Board

DATED: July 14, 2010

Department of Building Inspection DELINQUENT CHARGES (Dated: 12-JUL-2010)
Board of Supervisors Regular Meeting of 3-AUG-2010
Sorted by Alpha by Address City-Wide
Date Range: 23-MAY-2009-21-MAY-2010

LINE	BLOCK	LOT	DIST.	NUMBER	STREET NAME	FEE	INTEREST	SUBTOTAL	LIEN CHARGE	TOTAL
1	5327	2	10	4910	03RD ST	$ 1,423.00	$ 142.30	$ 1,565.30	187.00	$ 1,752.30
2	5338	5	10	5024 5030	03RD ST	$ 1,096.00	$ 109.60	$ 1,205.60	187.00	$ 1,392.60
3	4941	25	10	6201	03RD ST	$ 1,396.00	$ 139.60	$ 1,535.60	187.00	$ 1,722.60
4	3753	8	6	374	05TH ST	$ 1,040.50	$ 104.05	$ 1,144.55	187.00	$ 1,331.55
5	1638	26	1	618	07TH AV	$ 803.25	$ 80.33	$ 883.58	187.00	$ 1,070.58
6	1425	27	1	290	09TH AV	$ 940.50	$ 94.05	$ 1,034.55	187.00	$ 1,221.55
7	3701	23	6	81	09TH ST	$ 543.60	$ 54.36	$ 597.96	187.00	$ 784.96
8	1369	21	2	170	10TH AV	$ 784.50	$ 78.45	$ 862.95	187.00	$ 1,049.95
9	1932	14	7	1677	11TH AV	$ 1,378.00	$ 137.80	$ 1,515.80	187.00	$ 1,702.80
10	3531	22	6	290	14TH ST	$ 940.50	$ 94.05	$ 1,034.55	187.00	$ 1,221.55
11	3977	1	10	2001	17TH ST	$ 1,606.00	$ 160.60	$ 1,766.60	187.00	$ 1,953.60
12	3585	88	8	3875	18TH ST	$ 1,304.00	$ 130.40	$ 1,434.40	187.00	$ 1,621.40
13	3583	18	8	4018	19TH ST	$ 1,241.00	$ 124.10	$ 1,365.10	187.00	$ 1,552.10
14	3583	18	8	4018 4022	19TH ST	$ 1,351.00	$ 135.10	$ 1,486.10	187.00	$ 1,673.10
15	3608	75	8	3605	20TH ST	$ 1,123.00	$ 112.30	$ 1,235.30	187.00	$ 1,422.30
16	3597	25	8	3672	20TH ST	$ 1,814.00	$ 181.40	$ 1,995.40	187.00	$ 2,182.40
17	3597	25	8	3672	20TH ST	$ 1,181.00	$ 118.10	$ 1,299.10	187.00	$ 1,486.10
18	4212	13	10	2631	23RD ST	$ 328.50	$ 32.85	$ 361.35	187.00	$ 548.35
19	3640	71	9	3034	24TH ST	$ 1,050.00	$ 105.00	$ 1,155.00	187.00	$ 1,342.00
20	3640	71	9	3034	24TH ST	$ 1,092.50	$ 109.25	$ 1,201.75	187.00	$ 1,388.75
21	6509	42	8	3825 3829	24TH ST	$ 1,223.50	$ 122.35	$ 1,345.85	187.00	$ 1,532.85
22	3656	008A	8	4012	24TH ST	$ 1,011.00	$ 101.10	$ 1,112.10	187.00	$ 1,299.10
23	4276	13	9	2821	25TH ST	$ 1,040.50	$ 104.05	$ 1,144.55	187.00	$ 1,331.55
24	1781	9	4	1347	26TH AV	$ 986.00	$ 98.60	$ 1,084.60	187.00	$ 1,271.60
25	6525	15	9	3224	26TH ST	$ 1,729.00	$ 172.90	$ 1,901.90	187.00	$ 2,088.90
26	6525	15	9	3224	26TH ST	$ 1,308.50	$ 130.85	$ 1,439.35	187.00	$ 1,626.35
27	6578	47	8	226	27TH ST	$ 1,177.50	$ 117.75	$ 1,295.25	187.00	$ 1,482.25
28	1405	53	1	337	28TH AV	$ 796.00	$ 79.60	$ 875.60	187.00	$ 1,062.60
29	5817	13	8	316 318	ALEMANY BL	$ 1,071.00	$ 107.10	$ 1,178.10	187.00	$ 1,365.10
30	5817	12	8	320	ALEMANY BL	$ 1,071.00	$ 107.10	$ 1,178.10	187.00	$ 1,365.10
31	5817	11	8	322	ALEMANY BL	$ 1,168.00	$ 116.80	$ 1,284.80	187.00	$ 1,471.80
32	6233	5	10	318	ARLETA AV	$ 1,168.00	$ 116.80	$ 1,284.80	187.00	$ 1,471.80
33	6694	9	8	340	ARLINGTON ST	$ 962.30	$ 96.23	$ 1,058.53	187.00	$ 1,245.53
34	5947	8	11	26	ATHENS ST	$ 1,150.00	$ 115.00	$ 1,265.00	187.00	$ 1,452.00
35	6022	26	11	323	ATHENS ST	$ 1,016.00	$ 101.60	$ 1,117.60	187.00	$ 1,304.60
36	6046	33	10	315	BACON ST	$ 1,096.00	$ 109.60	$ 1,205.60	187.00	$ 1,392.60
37	2889	19	7	90	BALCETA AV	$ 955.50	$ 95.55	$ 1,051.05	187.00	$ 1,238.05
38	0460A	11	2	1660	BAY ST	$ 1,320.00	$ 132.00	$ 1,452.00	187.00	$ 1,639.00
39	0439A	6	2	1750	BEACH ST	$ 1,147.00	$ 114.70	$ 1,261.70	187.00	$ 1,448.70
40	6696	19	8	71	BEMIS ST	$ 763.00	$ 76.30	$ 839.30	187.00	$ 1,026.30
41	6017	25	11	301	BRAZIL AV	$ 1,581.00	$ 158.10	$ 1,739.10	187.00	$ 1,926.10
42	3039	19	7	290	BRENTWOOD AV	$ 1,125.50	$ 112.55	$ 1,238.05	187.00	$ 1,425.05
43	3039	19	7	290	BRENTWOOD AV	$ 985.50	$ 98.55	$ 1,084.05	187.00	$ 1,271.05
44	7071	8	11	355	BRIGHT ST	$ 761.00	$ 76.10	$ 837.10	187.00	$ 1,024.10
45	7107	23	11	188	BROAD ST	$ 1,038.00	$ 103.80	$ 1,141.80	187.00	$ 1,328.80

Department of Building Inspection DELINQUENT CHARGES (Dated: 12-JUL-2010)
Board of Supervisors Regular Meeting of 3-AUG-2010
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LINE	BLOCK	LOT	DIST.	NUMBER	STREET NAME	FEE	INTEREST	SUBTOTAL	LIEN CHARGE	TOTAL
46	1237	19	5	100	BRODERICK ST	$ 861.00	$ 86.10	$ 947.10	187.00	$ 1,134.10
47	6491	1	11	701	BRUNSWICK ST	$ 1,096.00	$ 109.60	$ 1,205.60	187.00	$ 1,392.60
48	6051	1	10	500	BRUSSELS ST	$ 943.00	$ 94.30	$ 1,037.30	187.00	$ 1,224.30
49	841	2	5	425 431	BUCHANAN ST	$ 1,521.00	$ 152.10	$ 1,673.10	187.00	$ 1,860.10
50	642	43	2	1700	CALIFORNIA ST	$ 858.00	$ 85.80	$ 943.80	187.00	$ 1,130.80
51	638	16	2	2150	CALIFORNIA ST	$ 1,286.00	$ 128.60	$ 1,414.60	187.00	$ 1,601.60
52	1029	68	2	2999	CALIFORNIA ST	$ 1,317.00	$ 131.70	$ 1,448.70	187.00	$ 1,635.70
53	3553	047A	6	17	CAPP ST	$ 1,107.50	$ 110.75	$ 1,218.25	187.00	$ 1,405.25
54	6786	21	11	105	CAYUGA AV	$ 643.60	$ 64.36	$ 707.96	187.00	$ 894.96
55	6575	1	9	3555	CESAR CHAVEZ ST	$ 300.00	$ 30.00	$ 330.00	187.00	$ 517.00
56	3649	29	8	205 207B	CHATTANOOGA ST	$ 1,559.00	$ 155.90	$ 1,714.90	187.00	$ 1,901.90
57	6656	19	8	84 96	CHENERY ST	$ 1,013.60	$ 101.36	$ 1,114.96	187.00	$ 1,301.96
58	3543	4	8	254	CHURCH ST	$ 1,220.00	$ 122.00	$ 1,342.00	187.00	$ 1,529.00
59	6509	002A	8	1220 1222	CHURCH ST	$ 1,266.00	$ 126.60	$ 1,392.60	187.00	$ 1,579.60
60	997	3	2	3300	CLAY ST	$ 1,353.00	$ 135.30	$ 1,488.30	187.00	$ 1,675.30
61	1225	5	5	409	CLAYTON ST	$ 998.00	$ 99.80	$ 1,097.80	187.00	$ 1,284.80
62	90	27	3	720	COLUMBUS AV	$ 824.50	$ 82.45	$ 906.95	187.00	$ 1,093.95
63	3601	053A	8	366	CUMBERLAND ST	$ 1,138.50	$ 113.85	$ 1,252.35	187.00	$ 1,439.35
64	6633	13	8	144	DAY ST	$ 1,181.00	$ 118.10	$ 1,299.10	187.00	$ 1,486.10
65	6302	14	10	770	DELTA ST	$ 1,096.00	$ 109.60	$ 1,205.60	187.00	$ 1,392.60
66	6308	004A	10	197	DESMOND ST	$ 1,096.00	$ 109.60	$ 1,205.60	187.00	$ 1,392.60
67	1155	16	5	902	DIVISADERO ST	$ 815.50	$ 81.55	$ 897.05	187.00	$ 1,084.05
68	4343	001B	10	2121	EVANS AV	$ 1,123.00	$ 112.30	$ 1,235.30	187.00	$ 1,422.30
69	1207	10	5	1522	FELL ST	$ 1,436.00	$ 143.60	$ 1,579.60	187.00	$ 1,766.60
70	5975	10	9	627	FELTON ST	$ 1,168.00	$ 116.80	$ 1,284.80	187.00	$ 1,471.80
71	822	6	5	625 627	FILLMORE ST	$ 1,096.00	$ 109.60	$ 1,205.60	187.00	$ 1,392.60
72	510	4	2	3231	FILLMORE ST	$ 846.00	$ 84.60	$ 930.60	187.00	$ 1,117.60
73	3750	87	6	611	FOLSOM ST	$ 1,921.00	$ 192.10	$ 2,113.10	187.00	$ 2,300.10
74	3614	1	9	2500 2510	FOLSOM ST	$ 378.00	$ 37.80	$ 415.80	187.00	$ 602.80
75	3614	1	9	2500 2510	FOLSOM ST	$ 785.70	$ 78.57	$ 864.27	187.00	$ 1,051.27
76	3614	1	9	2500 2510	FOLSOM ST	$ 785.70	$ 78.57	$ 864.27	187.00	$ 1,051.27
77	3614	1	9	2500 2510	FOLSOM ST	$ 2,231.74	$ 223.17	$ 2,454.91	187.00	$ 2,641.91
78	1840	15	7	1491	FUNSTON AV	$ 371.00	$ 37.10	$ 408.10	187.00	$ 595.10
79	5908	24	9	161	GAMBIER ST	$ 1,217.50	$ 121.75	$ 1,339.25	187.00	$ 1,526.25
80	5908	24	9	161	GAMBIER ST	$ 1,132.50	$ 113.25	$ 1,245.75	187.00	$ 1,432.75
81	1473	3	1	7700	GEARY BL	$ 1,083.00	$ 108.30	$ 1,191.30	187.00	$ 1,378.30
82	302	008A	6	816	GEARY ST	$ 879.00	$ 87.90	$ 966.90	187.00	$ 1,153.90
83	302	011A	6	850	GEARY ST	$ 1,861.00	$ 186.10	$ 2,047.10	187.00	$ 2,234 10
84	693	8	6	928	GEARY ST	$ 886.00	$ 88.60	$ 974.60	187.00	$ 1,161.60
85	6423	236	10	1888	GENEVA AV	$ 1,096.00	$ 109.60	$ 1,205.60	187.00	$ 1,392.60
86	5982	005B	10	391	GIRARD ST	$ 1,096.00	$ 109.60	$ 1,205.60	187.00	$ 1,392.60
87	753	10	5	1592 1594	GOLDEN GATE AV	$ 985.50	$ 98.55	$ 1,084.05	187.00	$ 1,271.05
88	753	10	5	1592 1594	GOLDEN GATE AV	$ 1,606.00	$ 160.60	$ 1,766.60	187.00	$ 1,953.60
89	753	10	5	1592 1594	GOLDEN GATE AV	$ 1,037.00	$ 103.70	$ 1,140.70	187.00	$ 1,327.70
90	640	4	2	1801	GOUGH ST	$ 1,168.00	$ 116.80	$ 1,284.80	187.00	$ 1,471.80

Department of Building Inspection DELINQUENT CHARGES (Dated: 12-JUL-2010)
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LINE	BLOCK	LOT	DIST.	NUMBER	STREET NAME	FEE	INTEREST	SUBTOTAL	LIEN CHARGE	TOTAL
91	7017	1	11	301	GRAFTON AV	$1,096.00	$ 109.60	$1,205.60	187.00	$1,392.60
92	134	31	3	231V	GREEN ST	$1,168.00	$ 116.80	$1,284.80	187.00	$1,471.80
93	134	30	3	235V	GREEN ST	$1,168.00	$ 116.80	$1,284.80	187.00	$1,471.80
94	134	29	3	239V	GREEN ST	$1,168.00	$ 116.80	$1,284.80	187.00	$1,471.80
95	90	27	3	735 739	GREENWICH ST	$ 824.50	$ 82.45	$ 906.95	187.00	$1,093.95
96	807	22	5	547	GROVE ST	$ 846.00	$ 84.60	$ 930.60	187.00	$1,117.60
97	1240	26	5	973	HAIGHT ST	$1,220.00	$ 122.00	$1,342.00	187.00	$1,529.00
98	4084	49	9	2407	HARRISON ST	$1,062.00	$ 106.20	$1,168.20	187.00	$1,355.20
99	3583	33	8	127	HARTFORD ST	$1,181.00	$ 118.10	$1,299.10	187.00	$1,486.10
100	7172	3	11	1	HEAD ST	$1,050.00	$ 105.00	$1,155.00	187.00	$1,342.00
101	4967	35	10	1215	HOLLISTER AV	$1,266.00	$ 126.60	$1,392.60	187.00	$1,579.60
102	6983	43	11	443	HOLLOWAY AV	$1,032.00	$ 103.20	$1,135.20	187.00	$1,322.20
103	6769	37	8	161	JOOST AV	$1,290.00	$ 129.00	$1,419.00	187.00	$1,606.00
104	6934	18	11	338	JULES AV	$1,038.00	$ 103.80	$1,141.80	187.00	$1,328.80
105	3554	45	6	141 145	JULIAN AV	$1,266.00	$ 126.60	$1,392.60	187.00	$1,579.60
106	840	38	5	355	LAGUNA ST	$ 901.00	$ 90.10	$ 991.10	187.00	$1,178.10
107	319	4	6	525	LEAVENWORTH ST	$ 730.50	$ 73.05	$ 803.55	187.00	$ 990.55
108	28	7	3	2640	LEAVENWORTH ST	$1,326.00	$ 132.60	$1,458.60	187.00	$1,645.60
109	6011	9	11	162	LISBON ST	$ 730.50	$ 73.05	$ 803.55	187.00	$ 990.55
110	6344	14	11	672	LISBON ST	$1,192.00	$ 119.20	$1,311.20	187.00	$1,498.20
111	6489	013E	11	285	LOWELL ST	$1,699.50	$ 169.95	$1,869.45	187.00	$2,056.45
112	2927	12	7	570	MAGELLAN AV	$1,290.00	$ 129.00	$1,419.00	187.00	$1,606.00
113	3000A	6	7	479	MARIETTA DR	$1,177.50	$ 117.75	$1,295.25	187.00	$1,482.25
114	1208	36	5	828	MASONIC AV	$ 797.00	$ 79.70	$ 876.70	187.00	$1,063.70
115	3726	98	6	511 513	MINNA ST	$1,241.15	$ 124.12	$1,365.27	187.00	$1,552.27
116	3532	3	6	1716 1718	MISSION ST	$1,436.00	$ 143.60	$1,579.60	187.00	$1,766.60
117	6574	7	9	3158	MISSION ST	$1,563.50	$ 156.35	$1,719.85	187.00	$1,906.85
118	6687	6	9	3676	MISSION ST	$ 666.50	$ 66.65	$ 733.15	187.00	$ 920.15
119	6472	22	11	5875	MISSION ST	$1,295.50	$ 129.55	$1,425.05	187.00	$1,612.05
120	7030	17	11	52	NIAGARA AV	$ 782.00	$ 78.20	$ 860.20	187.00	$1,047.20
121	6972	18	11	380	NIAGARA AV	$1,165.50	$ 116.55	$1,282.05	187.00	$1,469.05
122	3655	50	8	1018	NOE ST	$1,096.00	$ 109.60	$1,205.60	187.00	$1,392.60
123	5073	38	10	129	NUEVA AV	$ 794.00	$ 79.40	$ 873.40	187.00	$1,060.40
124	842	001A	5	607 619	OAK ST	$1,078.60	$ 107.86	$1,186.46	187.00	$1,373.46
125	842	001A	5	607 619	OAK ST	$ 853.60	$ 85.36	$ 938.96	187.00	$1,125.96
126	6944	43	11	1111	OCEAN AV	$ 980.00	$ 98.00	$1,078.00	187.00	$1,265.00
127	664	17	5	1700	OCTAVIA ST	$1,083.00	$ 108.30	$1,191.30	187.00	$1,378.30
128	7106	035D	11	282	ORIZABA AV	$1,114.00	$ 111.40	$1,225.40	187.00	$1,412.40
129	5947	029A	11	525	PERU AV	$1,096.00	$ 109.60	$1,205.60	187.00	$1,392.60
130	275	9	3	1055	PINE ST	$ 300.00	$ 30.00	$ 330.00	187.00	$ 517.00
131	659	29	5	2345	PINE ST	$1,004.00	$ 100.40	$1,104.40	187.00	$1,291.40
132	300	003B	3	800	POST ST	$1,296.00	$ 129.60	$1,425.60	187.00	$1,612.60
133	302	027A	6	921	POST ST	$1,262.50	$ 126.25	$1,388.75	187.00	$1,575.75
134	302	027A	6	921	POST ST	$1,083.00	$ 108.30	$1,191.30	187.00	$1,378.30
135	1080	1	2	2401	POST ST	$1,301.00	$ 130.10	$1,431.10	187.00	$1,618.10

Department of Building Inspection DELINQUENT CHARGES (Dated: 12-JUL-2010)
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LINE	BLOCK	LOT	DIST.	NUMBER	STREET NAME	FEE	INTEREST	SUBTOTAL	LIEN CHARGE	TOTAL
136	865	9	8	53	POTOMAC ST	$ 1,465.00	$ 146.50	$ 1,611.50	187.00	$ 1,798.50
137	3961	22	10	375	POTRERO AV	$ 1,220.00	$ 122.00	$ 1,342.00	187.00	$ 1,529.00
138	4761	19	10	1357	QUESADA AV	$ 1,165.50	$ 116.55	$ 1,282.05	187.00	$ 1,469.05
139	6664	58	8	217	RANDALL ST	$ 1,114.00	$ 111.40	$ 1,225.40	187.00	$ 1,412.40
140	5343	7	10	1729	REVERE AV	$ 1,293.00	$ 129.30	$ 1,422.30	187.00	$ 1,609.30
141	853	017A	5	146	ROSE ST	$ 1,163.50	$ 116.35	$ 1,279.85	187.00	$ 1,466.85
142	6954	31	11	1	ROSELLA CT	$ 986.00	$ 98.60	$ 1,084.60	187.00	$ 1,271.60
143	5981	7	9	2546	SAN BRUNO AV	$ 1,548.00	$ 154.80	$ 1,702.80	187.00	$ 1,889.80
144	2302	24	4	3616	SANTIAGO ST	$ 1,389.00	$ 138.90	$ 1,527.90	187.00	$ 1,714.90
145	2302	24	4	3616	SANTIAGO ST	$ 1,134.00	$ 113.40	$ 1,247.40	187.00	$ 1,434.40
146	7084	46	11	719	SARGENT ST	$ 1,544.50	$ 154.45	$ 1,698.95	187.00	$ 1,885.95
147	7073	44	11	331	SHIELDS ST	$ 1,096.00	$ 109.60	$ 1,205.60	187.00	$ 1,392.60
148	1248	15	5	652	SHRADER ST	$ 1,729.00	$ 172.90	$ 1,901.90	187.00	$ 2,088.90
149	3552	19	6	465	SOUTH VAN NESS AV	$ 1,393.50	$ 139.35	$ 1,532.85	187.00	$ 1,719.85
150	1288	17	5	1210	STANYAN ST	$ 1,266.00	$ 126.60	$ 1,392.60	187.00	$ 1,579.60
151	6732	38	8	341	SURREY ST	$ 1,317.00	$ 131.70	$ 1,448.70	187.00	$ 1,635.70
152	1074	29	5	2617	SUTTER ST	$ 1,038.00	$ 103.80	$ 1,141.80	187.00	$ 1,328.80
153	1073	17	2	2737	SUTTER ST	$ 937.50	$ 93.75	$ 1,031.25	187.00	$ 1,218.25
154	1073	17	2	2737	SUTTER ST	$ 1,168.00	$ 116.80	$ 1,284.80	187.00	$ 1,471.80
155	3729	62	6	769 771A	TEHAMA ST	$ 1,023.60	$ 102.36	$ 1,125.96	187.00	$ 1,312.96
156	7054	76	11	284	THRIFT ST	$ 1,042.01	$ 104.20	$ 1,146.21	187.00	$ 1,333.21
157	344	7	6	275	TURK ST	$ 1,305.00	$ 130.50	$ 1,435.50	187.00	$ 1,622.50
158	4264	6	10	1362	UTAH ST	$ 1,137.50	$ 113.75	$ 1,251.25	187.00	$ 1,438.25
159	2509	51	4	2921	WAWONA ST	$ 901.00	$ 90.10	$ 991.10	187.00	$ 1,178.10
160	4220	34	10	1145	WISCONSIN ST	$ 803.50	$ 80.35	$ 883.85	187.00	$ 1,070.85

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
DOCUMENTS DEPT

JUL 30 2010

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Tuesday, August 3, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at www.sfbos.org/meetings <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the June 29, 2010, Board meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos

1. 100923 **[Accept and Expend Grant - Department of Public Library - $80,000]**
Sponsor: Chu
Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $80,000 from the California State Library as part of the Federal Library Services and Technology Act for the Out-of-School-Time Online Homework Help Program.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Chiu

2. 100693 **[Mission Bay North-Block N1 Public Infrastructure Improvements]**
Ordinance accepting of the irrevocable offer of additional property along Townsend Street, King Street, and Fourth Street and the irrevocable offer of public infrastructure improvements associated with Mission Bay North Block N1, including acquisition facilities on Third Street, Townsend Street, King Street, and Fourth Street; declaring such areas as shown on official Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; designating street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 178,676; and authorizing official acts in connection with this Ordinance. (Public Works Department)

07/27/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 100852 **[Mission Bay South - Park P17 Improvements]**
Ordinance dedicating a portion of State Trust Parcel 5, known as Park P17, lying along Mission Bay Boulevard North, Mission Bay Boulevard South and Terry A. Francois Boulevard for public use and naming the new park "Commons Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,716 and authorizing official acts in connection with this Ordinance. (Public Works Department)

07/27/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 100853 **[Mission Bay South - Park P18 Improvements]**
Ordinance dedicating a portion of State Trust Parcel 5, known as Park P18, lying along Terry A. Francois Boulevard between Mission Bay Boulevard North and China Basin Street for public use and naming the new park "Bayfront Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,715 and authorizing official acts in connection with this Ordinance. (Public Works Department)

07/27/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 100883 **[Agreement Regarding the Exchange of Fire Station No. 1 Located at 676 Howard Street and Portions of Hunt Street for 935 Folsom Street and a Replacement Fire Station]**

Sponsor: Mayor

Ordinance authorizing the Director of Property to execute a conditional land disposition and acquisition agreement with the San Francisco Museum of Modern Art and its affiliate (collectively, Museum) for the proposed future conveyance by the City and County of San Francisco (City) to Museum of real property located at 676 Howard Street, San Francisco (Fire Station No. 1) and all of that portion of Hunt Street within Block No. 3722, collectively, in exchange for conveyance by Museum to City of a parcel of real property located at 935 Folsom Street, a new fire station to be constructed by or on behalf of Museum on such parcel, and an easement for parking purposes adjacent to such parcel; exempting from the competitive bidding and contract requirements of Chapter 6 of City's Administrative Code all contracts to be entered into by Museum for the design and construction of the new fire station and the improvement of such parcel and parking easement; and making findings, including findings of consistency with the General Plan and Planning Code Section 101.1(b).

07/27/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 100639 **[Permits for Commercial Parking Garages and Lots]**

Sponsor: Alioto-Pier

Ordinance amending sections of the San Francisco Police Code, Business and Tax Regulations Code and Fire Code to: (1) transfer responsibility for parking garage and parking lot permits from the Fire Department to the Police Department; (2) require a commercial parking permit to operate a garage or lot where members of the public can park for a charge; set fees; establish permit issuance, suspension and revocation procedures; establish requirements for permit holders and individuals working at parking garages and lots; and (3) limit the term of a commercial parking permit to one year and require annual application for a commercial parking permit.

07/27/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 100467 **[Zoning Map Amendment for One Capitol Avenue]**

Sponsor: Avalos

Ordinance amending Section Maps ZN12 of the Zoning Maps of the City and County of San Francisco for the real property at One Capitol Avenue (Assessor's Block No. 7148/Lot No. 040), to reclassify the property from a P (Public) Zoning District to an RH-1 (Residential, House, One-Family) Zoning District; and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Department)

07/27/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Mar, Chiu

8. 100669 **[Lease of Real Property – Parcel L (Portion of Assessor's Block No. 0817, Lot No. 33)]**
Sponsor: Mayor
Resolution approving the lease of City property located at the northeast corner of Octavia Boulevard and Fell Street and commonly known as Parcel L (portion of Assessor's Block No. 0817, Lot No. 33) to PROXYDevelopment, LLC, for four years at a monthly base rent of $2,000 per month.

Question: Shall this Resolution be ADOPTED?

9. 100670 **[Sublease of Real Property - Parcel K (Portion of Assessor's Block No. 0817, Lot No. 30)]**
Sponsor: Mayor
Resolution approving the sublease of property located at the southeast corner of Octavia Boulevard and Hayes Street and commonly known as Parcel K (portion of Assessor's Block No. 0817, Lot No. 30) to PROXY Development, LLC, for three years at a monthly base rent of $5,000 per month.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Mar, Chiu

10. 100658 **[Bayview Hunters Point Redevelopment Project Area]**
Sponsors: Mayor; Maxwell
Ordinance approving and adopting an amendment to the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.

07/13/2010; CONTINUED ON FIRST READING.

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 100659 **[Hunters Point Shipyard Redevelopment Project Area]**
Sponsors: Mayor; Maxwell
Ordinance approving and adopting an amendment to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.

07/13/2010; CONTINUED ON FIRST READING.

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 100574 **[General Plan Amendments - Candlestick Point Activity Node and Hunters Point Shipyard Phase 2 Project]**
Sponsors: Mayor; Maxwell
Ordinance amending the San Francisco General Plan by amending the Bayview Hunters Point Area Plan, the Transportation Element, the Recreation and Open Space Element, the Commerce and Industry Element, maps and figures in various Elements, and the Land Use Index, and by adopting and adding the Candlestick Point Subarea Plan and the Hunters Point Area Plan, in order to facilitate the development of the Hunters Point Shipyard and Candlestick Point, as envisioned in the Hunters Point Shipyard Redevelopment Plan, the Bayview Hunters Point Redevelopment Plan, and the Conceptual Framework for integrated development of the Hunters Point Shipyard and Candlestick Point endorsed by the Board of Supervisors and the Mayor in May 2007 and approved by the voters in 2008 through passage of Proposition G, the Jobs, Parks and Housing Initiative; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 100575 **[Hunters Point Shipyard - Health Code Amendment]**
Sponsors: Mayor; Maxwell
Ordinance amending Article 31 of the Health Code to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply to Hunters Point Shipyard Parcel A to address potential residual contamination, and imposing fees to administer this Article; amending Sections 804 and 1227 of the Health Code to make conforming amendments; and making environmental findings.

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 100576 **[Hunters Point Shipyard - Public Works Code Amendment]**
Sponsors: Mayor; Maxwell
Ordinance amending the Public Works Code to amend Section 2.3.1 to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply at Hunters Point Shipyard Parcel A to address potential residual contamination and making environmental findings.

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. 100577 **[Hunters Point Shipyard - Building Code Amendment]**
Sponsors: Mayor; Maxwell
Ordinance amending the Building Code to amend Section 106A.3.2.5 to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply at Hunters Point Shipyard Parcel A to address potential residual contamination and making environmental findings.

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 100578 **[Zoning Map Amendments - Candlestick Point Activity Node and Hunters Point Shipyard Phase 2 Project]**
Sponsors: Mayor; Maxwell
Ordinance amending the San Francisco Planning Code by amending Sectional Maps SU09 and SU010 of the Zoning Map of the City and County of San Francisco to establish the Candlestick Point Activity Node Special Use District and the Hunters Point Shipyard Phase 2 Special Use District; amending Sectional Maps HT09 and HT010 to establish the CP Height and Bulk District and the HP Height and Bulk District; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101 1, providing for an operative date.

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. 100579 **[Zoning - Establishment of the Candlestick Point Activity Node Special Use District, the Hunters Point Shipyard Phase 2 Special Use District, and Special Height and Bulk Provisions for the Special Use Districts]**
Sponsors: Mayor; Maxwell
Ordinance amending the San Francisco Planning Code by adding Section 249.50 to establish the Candlestick Point Activity Node Special Use District; adding Section 249.51 to establish the Hunters Point Shipyard Phase 2 Special Use District; adding Section 263.24 to establish Special Height Provisions for the Candlestick Point Activity Node Special Use District and the CP Height and Bulk District; adding Section 263.25 to establish Special Height Provisions for the Hunters Point Shipyard Phase 2 Special Use District and the HP Height and Bulk District; and amending Table 270, to provide that the Table is not applicable to the Candlestick Point Activity Node Special Use District and the Hunters Point Shipyard Phase 2 Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1; providing for an operative date.

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

18. 100661 **[Subdivision Code - Candlestick Point and Hunters Point Shipyard]**
Sponsors: Mayor; Maxwell
Ordinance amending the Hunters Point Shipyard Subdivision Code to rename the Code's Division 3 title and make various amendments pertaining to the subdivision process in Phase 2 of the Hunters Point Shipyard Redevelopment Plan and Zone 1 of the Bayview Hunters Point Redevelopment Project Area, including the establishment of a procedure for reviewing and filing vesting tentative transfer maps; and making environmental findings.

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

19. 100751 [Implementation of Assembly Bill 1421 - Assisted Outpatient Treatment, "Laura's Law"]

Sponsor: Alioto-Pier

Resolution authorizing the implementation of assisted outpatient treatment in the City and County of San Francisco, requesting the Controller conduct an analysis of mental health funding levels.

(Supervisor Avalos dissented in committee.)

07/20/2010; AMENDED.

07/20/2010; CONTINUED AS AMENDED.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

20. 100054 [Workforce Development - Public Service Academies]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Sections 30.30 through 30.35, to establish public safety and public health training programs for San Francisco Unified School District high school students.

07/27/2010; AMENDED.

07/27/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

21. 100674 [Expanding the Entertainment Commission's Power to Revoke Permits]

Sponsor: Chiu

Ordinance amending Sections 1060.20.4 and 1070.20 of the San Francisco Police Code to expand the grounds for revocation of place of entertainment permits, extended-hours premises permits, and one time event permits to include: (1) public safety considerations, where operation of the permit poses a substantial risk of physical harm or injury to individuals, and (2) where the permittee's persistent action or inaction causes serious and continuing problems that amount to a public nuisance.

07/27/2010; AMENDED.

07/27/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

22. 100694 **[Contract Amendment to the Fuel Contract - Not to Exceed $50,000,000]**
Resolution approving the Third Amendment to the Agreement between the City and Western States Oil (Contractor) increasing the total not to exceed amount of the contract from $25,000,000 to $50,000,000 and extending the term for one year, pursuant to Charter Section 9.118(b). (Office of Contract Administration)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

23. 100925 **[Contract with the San Francisco Community Health Authority to Provide Provider Payment Services for the Healthy San Francisco Program]**
Sponsor: Mayor
Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to contract with the San Francisco Community Health Authority to provide Provider Payment services for the Healthy San Francisco program for the term of July 1, 2010, through June 30, 2011.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

24. 100926 **[Authorizing Expenditures from SOMA Community Stabilization Fund - $2,762,000]**
Sponsor: Mayor
Resolution authorizing the Mayor's Office of Housing to expend SOMA Community Stabilization Fund dollars under certain conditions in the amount of $2,762,000 to subsidize the development of onsite affordable rental housing units at 333 Harrison Street.

Question: Shall this Resolution be ADOPTED?

25. 100928 **[Accept and Expend Grant - Department of Public Works - $417,339]**
Sponsors: Mayor; Dufty
Resolution authorizing the Department of Public Works to apply for, accept and expend $417,339 in Federal American Recovery and Reinvestment Act of 2009 Transportation Enhancement funds for the Corbin Place Stair Replacement Project.

Question: Shall this Resolution be ADOPTED?

26. 100929 **[Approval of Amendment Agreement with the Tides Center - $10,570,840]**
Sponsor: Mayor
Resolution retroactively approving amendment to agreement with the Tides Center to provide property management services at the Direct Access to Housing sites to extend the contract term by three years and increase the contract amount by $10,570,840.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

27. 100967 **[Intention to Renew the 2500 Block of Mission Street Business Improvement District - Mission Miracle Mile Business Improvement District]**
Sponsor: Campos
Resolution declaring the intention of the Board of Supervisors to renew the property-based 2500 Block of Mission Street business improvement district, to be known as the "Mission Miracle Mile Business Improvement District" and to levy a multi-year assessment on identified parcels in the district; approving the management district plan and engineer's report and proposed boundaries map for the district; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballots; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos

28. 100641 **[Expend Grant - California Department of Toxic Substances Control and Amendment to the Annual Salary Ordinance, FY2010-2011 - $74,500]**
Sponsor: Chu
Ordinance authorizing the Department of the Environment to expend a grant in the amount of $74,500 from the California Department of Toxic Substances Control to coordinate the Green Business tracking and measurement tool and amending Ordinance No. 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Daly

29. 100943 **[Board of Supervisors Response to the 2009-2010 Civil Grand Jury Report Entitled "Americans With Disabilities Act: Is San Francisco In Compliance?"]**
Sponsors: Alioto-Pier; Mar
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2009-2010 Civil Grand Jury Report entitled "Americans With Disabilities Act: Is San Francisco In Compliance?"

Question: Shall this Resolution be ADOPTED?

30. 100939 **[Budget and Legislative Analyst Review of Aging in Place Practices and Resources]**
Sponsor: Mar
Motion directing the Budget and Legislative Analyst to conduct a review of practices and resources that might enable aging adults in the City and County of San Francisco to live in their homes and communities independently. Specific areas of review may include: (1) determining the approximate number of seniors on affordable housing and public housing waitlists in San Francisco; (2) collecting and summarizing demographic information about seniors in San Francisco; (3) reviewing independent living programs and models including shared housing programs, cross-generational aging in place programs, volunteer health advocacy programs, and the non-profit retirement villages model; and (4) providing legislative recommendations for incentives that encourage property owners to make residential upgrades that increase accessibility and safety.

Question: Shall this Motion be APPROVED?

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Mar, Chu, Daly

31. 100508 **[Directing the Budget and Legislative Analyst to Audit the Department of Children, Youth and Their Families]**
Sponsor: Alioto-Pier
Motion directing the Budget and Legislative Analyst to audit the Department of Children, Youth and Their Families in their oversight of early childhood care and education programs.

Question: Shall this Motion be APPROVED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

32. 100833 **[Approving Street Encroachment at Lake Merced Boulevard and Higuera Avenue]**
Resolution granting revocable permission to Park Merced Investors Properties, LLC, to occupy a portion of the public right-of-way for the installation and maintenance of a neighborhood sign (4' high x 36' wide x 32" deep) at the corner of Lake Merced Boulevard and Higuera Avenue in the median island (Block No. 0807, Lot No. 012), conditioned upon the payment of an annual assessment fee. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

33. 100901 **[California Environmental Quality Act Findings for Water System Improvement Program Habitat Mitigation Actions]**
Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation and monitoring reporting program and a statement of overriding considerations, related to full implementation of Habitat Mitigation Actions at two sites in Alameda County for the San Francisco Public Utilities Commission Sunol Valley Water Treatment Plant Expansion and Treated Water Reservoir project [CUW38101] and other Water System Improvement Program projects, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 100902, approved July 27, 2010.)

34. 100903 **[Committee of the Whole - Public Hearing on Special Assessment of Liens for Assessment of Cost]**
Hearing of persons interested in or objecting to proposed Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, and Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection, for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. (Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report

35. 100904 **[Special Assessment of Liens for Assessment of Cost]**
Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, and Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection, for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above.

Question: Shall this Resolution be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Public Safety Committee at a Regular Meeting on Monday, August 2, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, August 3, 2010.

36. 100879 **[Increasing Penalties for Certain Crimes Committed on Municipal Transportation Agency Vehicles, Platforms or in Bus Zones]**
Sponsors: Chu; Chiu
Ordinance amending the San Francisco Police Code by amending Article 2, Section 123, and Article 17, Section 1291, to increase from $500 to $1,000 the maximum allowable fine for the crimes of aggressive pursuit and of loitering while carrying a concealed weapon, where the violation occurs on vehicles, platforms, or bus zones of the Municipal Transportation Agency.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, August 2, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, August 3, 2010.

37. 101010 **[Accept and Expend Grant - American Recovery and Re-Investment Act and Amendment to the Annual Salary Ordinance, FY2010-2011 - $1,670,000]**
Sponsor: Mayor
Ordinance to retroactively accept and expect a grant in the amount of $1,670,000 from the U.S. Department of Energy through the County of Los Angeles and the Association of Bay Area Governments, and amending the Annual Salary Ordinance FY2010-2011 to reflect the addition of three positions in the Department of the Environment.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 38 through 47

38. 100961 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 2, 2010, Election]

Motion authorizing preparation of written proponent and opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 2, 2010, Election. (Clerk of the Board)

07/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

07/27/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

39. 101012 [Approving the Fare Schedule for Golden Gate Pedicab]

Sponsor: Chiu

Resolution approving the fare schedule for Golden Gate Pedicab.

07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 101017 **[Supporting the Golden Gate Warriors Return to San Francisco]**
Sponsors: Alioto-Pier; Elsbernd, Dufty, Maxwell, Mirkarimi and Chiu
Resolution supporting the Golden Gate Warriors return to San Francisco.

07/27/2010, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 101018 **[Accept and Expend Grant - Ghana MARPS Size Estimation - $28,465]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $28,465 from the University of California San Francisco (UCSF), to participate in a program entitled "Ghana MARPS Size Estimation" for the period of April 1, 2010, through March 31, 2011.

07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 101019 **[Accept and Expend Grant - OCTAVE Capacity Building Workshop Series - $47,022]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $47,022 from the Public Health Foundation Enterprises, Inc. (PHFE), to participate in a program entitled "OCTAVE-Capacity Building Workshop Series" for the period of July 1, 2010, through December 31, 2011.

07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 101020 **[Accept and Expend Grant - Viral Load Study - $25,318]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $25,318 from the Public Health Foundation Enterprises, Inc. (PHFE), to participate in a program entitled "Viral Load Study" for the period of April 1, 2010, through March 31, 2011.

07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 101021 **[Accept and Expend Grant - Special Work Assignment UNICEF - $30,965]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $30,965 from the United Nations Childrens Fund to support a project that will further understanding of the prevention of mother-to-child transmission of HIV for the period of June 18, 2010, through October 1, 2010.

07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 101022 **[Accept and Expend Grant - Recycling and Lunchroom Composting Programs - $18,000]**
Sponsor: Mar
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $18,000 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco.

07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 101023 **[Accept and Expend Grant - GreenStacks Environmental Outreach Collaboration - $12,000]**
Sponsor: Mar
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $12,000 from Altamont Education Advisory Board to support GreenStacks an environmental outreach collaboration between the Department of the Environment and the San Francisco Public Libraries.

07/28/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 101024 **[Property Assessed Clean Energy Programs]**
Sponsors: Mayor; Mar and Dufty
Resolution supporting Property Assessed Clean Energy (PACE) programs and requesting San Francisco's Congressional representatives to work with the Federal Housing Finance agency to establish standardized underwriting criteria and safeguards to allow for the continuation of PACE.

07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

48. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from July 20, 2010, to July 26, 2010, for reference by President to appropriate committee on August 3, 2010.

101002 **[Airport Concession Lease with Host International, Inc.]**
Resolution approving the Terminal 2 Newsstands, Coffee and Specialty Stores Lease between Host International, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

07/23/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101003 **[Settlement of Grievance - Bruce Dunlap - $57,500]**
Resolution authorizing the settlement of the grievances (ERD No. 45-09-1973 and ERD No. 45-09-1964) filed by International Federation of Professional and Technical Engineers, Local 21 (Union) on behalf of Grievant, Bruce Dunlap, against the City and County of San Francisco for $57,500. (City Attorney)

07/26/2010; RECEIVED AND ASSIGNED to the Rules Committee.

101004 **[Lease and License of Real Property at 1 Dr. Carlton B. Goodlett Place, Ground Floor Café and North Light Court]**

Resolution authorizing the lease of 1,426 square feet of space, a license of 2,400 square feet and the shared use space of 1,360 square feet to the Elias M. Nasra & Family Partnership, a California general partnership, in City Hall located at 1 Dr. Carlton B. Goodlett Place. (Real Estate Department)

07/26/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101037 [Petitions and Communications]

Petitions and Communications received from July 20, 2010, through July 26, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on August 3, 2010.

From Clerk of the Board, the following departments have submitted their 2010 Local Agency Biennial Notices: (1)
City Attorney's Office
Health Service System
Law Library
Public Library
Public Works
War Memorial and Performing Arts Center

From T Mobile, submitting notification of three cellular antennas to be installed at 939 Dartmouth Street. (2)

From T Mobile, submitting notification of three cellular antennas to be installed at 2503 15th Street. (3)

From T Mobile, submitting notification of three cellular antennas to be installed at 1029 Anza Street. (4)

From T Mobile, submitting notification of three cellular antennas to be installed at 9 Bird Street. (5)

From T Mobile, submitting notification of three cellular antennas to be installed at 1201 - 37th Avenue. (6)

From T Mobile, submitting notification of three cellular antennas to be installed at 2128 Lawton Street. (7)

From T Mobile, submitting notification of three cellular antennas to be installed at 175 Farnum Street. (8)

From T Mobile, submitting notification of three cellular antennas to be installed at 5549 Anza Street. (9)

From T Mobile, submitting notification of three cellular antennas to be installed at 344 Garfield Street. (10)

From T Mobile, submitting notification of three cellular antennas to be installed at 1698 - 27th Avenue. (11)

From T Mobile, submitting notification of three cellular antennas to be installed at 109 Lower Terrace. (12)

From Office of the Controller, regarding proposed Charter Amendment authorizing non-citizens to vote in elections for the Board of the San Francisco Unified School District. File No. 100635, Copy: Each Supervisor (13)

From San Francisco Parking Association, regarding proposed parking tax increase and tax on valet services. File No. 100759, Copy: Each Supervisor (14)

From Department of Elections, regarding notice of Ballot Simplification Committee Meetings for the November 2, 2010, Consolidated General Election. File No. 100581, Copy: Each Supervisor (15)

From Office of the Mayor, submitting nomination of John Newlin for the reappointment to the Entertainment Commission. Copy: Each Supervisor, Rules Committee Clerk (16)

From State Department of Public Health, regarding California AIDS hotline and web site (17)

From concerned citizens, submitting opposition to expanding parking meter hours/and or Sunday metering. 4 letters (18)

From concerned citizens, submitting support for passage of Laura's Law. File No. 100751, Copy: Each Supervisor, 25 letters (19)

From Oceanview, Merced Heights, Ingleside Community Action Organization, submitting opposition to construction of 28 new-single family dwellings on 28 lots with 42 parking spaces at One Capitol Avenue. File No. 100467, Copy: Budget and Finance Committee (20)

From concerned citizens, regarding more taxes and job losses in San Francisco. Copy: Budget and Finance Committee, 20 postcards (21)

From Albert Bianchini, regarding illegal immigrants in the United States. (22)

From Jay Sath, submitting opposition to proposed fee hike for vehicle registration. Copy: Each Supervisor (23)

From Office of the Controller, submitting their Government Barometer reports for FY2010-2011. Copy: Each Supervisor (24)

From the Megan Furth Academy, submitting opposition to any efforts by the City and County of San Francisco to list Sacred Heart Church on the National Register of Historic Places. Copy: Each Supervisor (25)

From Mayor's Hunters Point Shipyard Citizen's Advisory Committee, submitting support for the Hunters Point Shipyard Phase II/Candlestick Point Project. File No. 100861, Copy: Each Supervisor (26)

From Office of the Controller, regarding emergency repairs for the Fine Arts Museums. (27)

From Jeff Adachi, concerning statements made by members of the Board of Supervisors stating their intention to re-allocate funding from the Public Defender office's budget. Copy: Each Supervisor (28)

From Ed Ng, submitting opposition to proposed cell tower at 1250 Quintara. (29)

From Eric Parks, submitting support for the establishment of a Nail Salon Recognition Program in San Francisco. File No. 100963, Copy: Supervisor Chiu (30)

From Patrick Shaw, regarding Laguna Honda Hospital. 4 letters (31)

From Tim Giangiobbe, regarding cannabis prohibition and the propaganda war. (32)

From Joan Peters, regarding the new Bayview Library. Copy: Supervisor Maxwell (33)

From State Fish and Game Commission, regarding Game Bird Hunting. (34)

From concerned citizens, submitting opposition to proposed legislation concerning alcohol tax. File No. 100865, Copy: Budget and Finance Committee, 3 letters (35)

From concerned citizens, submitting support for the Shipyard Plan. File No. 100861 (36)

From Leah Thompson, regarding Sharp Park. (37)

From Amanda Alonzo, regarding McLaren Park (38)

From Bob Daddario, regarding cancelling his trip to San Francisco. (39)

From concerned citizens, submitting opposition to proposed change to the Recreation and Parks Commission appointment process. File No. 100633, Copy: Each Supervisor, 2 letters (40)

From Bruce Brugmann, regarding proposal to make the flat payroll tax more progressive and exempt more small businesses. Copy: Supervisor Chiu (41)

From Sally Loveland, regarding various issues. (42)

From Tim Giangiobbe, regarding palm readers. (43)

From Daniel Pong, regarding the increase in taxes and fees in San Francisco. (44)

From Kathy Howard, submitting support for proposed change to the Recreation and Parks Commission appointment process. File No. 100633, Copy: Each Supervisor (45)

From concerned citizens, submitting support for the construction of the proposed new St. Luke's Campus at Van Ness and Geary. 7 postcards (46)

From Kimo Crossman, regarding the UK crackdown on the mobile phone recycling industry. Copy: Each Supervisor (47)

ADJOURNMENT

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, August 10, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

AUG - 6 2010

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Meeting Procedures

Board procedures do not permit. 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at www.sfbos.org/meetings <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100968 **[Accept and Expend Grant - Recreation and Park Department - Mission Dolores Park - $1,500,000]**
Sponsor: Dufty
Resolution accepting and expending a gift, valued not less than $1,500,000 from the Friends of Dolores Park Playground and the Mercer Fund to the Recreation and Park Department for the renovation of the children's playground at Mission Dolores Park.

Question: Shall this Resolution be ADOPTED?

2. 100969 **[Approval of the Issuance of Tax-Exempt Revenue Obligations - Brandeis Hillel Day School - Not to Exceed $11,500,000]**
Sponsor: Elsbernd
Resolution approving the issuance of tax-exempt revenue obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed $11,500,000 among other things, to refinance various capital facilities owned by Brandeis Hillel Day School and to determine other matters related thereto.

Question: Shall this Resolution be ADOPTED?

3. 100970 **[Approving the Issuance of Tax-Exempt Revenue Obligations - The Urban School of San Francisco - Not to Exceed $8,000,000]**
Sponsor: Mirkarimi
Resolution approving the issuance of tax-exempt revenue obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed $8,000,000 among other things, to refinance various capital facilities owned by The Urban School of San Francisco and to determine other matters related thereto.

Question: Shall this Resolution be ADOPTED?

4. 101013 **[Accept and Expend Grant - The STOP Study - $166,666]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the Centers for Disease Control and Prevention in the amount of $166,666 to fund the STOP Study for the period June 15, 2010, through June 14, 2011.

Question: Shall this Resolution be ADOPTED?

5. 101014 **[Accept and Expend Grant - San Francisco Pedestrian Safety Project - $200,000]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant from the California Office of Traffic Safety in the amount of $200,000 to fund the San Francisco Pedestrian Safety Project for the period of October 1, 2010, through September 30, 2011.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

6. 101010 **[Accept and Expend Grant - American Recovery and Re-Investment Act and Amendment to the Annual Salary Ordinance, FY2010-2011 - $1,670,000]**
Sponsor: Mayor
Ordinance to retroactively accept and expect a grant in the amount of $1,670,000 from the U.S. Department of Energy through the County of Los Angeles and the Association of Bay Area Governments, and amending the Annual Salary Ordinance FY2010-2011 to reflect the addition of three positions in the Department of the Environment.

08/03/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos

7. 100641 **[Expend Grant - California Department of Toxic Substances Control and Amendment to the Annual Salary Ordinance, FY2010-2011 - $74,500]**
Sponsor: Chu
Ordinance authorizing the Department of the Environment to expend a grant in the amount of $74,500 from the California Department of Toxic Substances Control to coordinate the Green Business tracking and measurement tool and amending Ordinance No. 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

08/03/2010; AMENDED.

08/03/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

8. 100879 **[Increasing Penalties for Certain Crimes Committed on Municipal Transportation Agency Vehicles, Platforms or in Bus Zones]**
Sponsors: Chu; Chiu, Mar, Maxwell, Dufty and Mirkarimi
Ordinance amending the San Francisco Police Code by consolidating Sections 122 and 123 and amending former Section 123 and Section 1291, to increase from $500 to $1,000 the maximum allowable fine for the crimes of aggressive pursuit and of loitering while carrying a concealed weapon, where the violation occurs on vehicles, platforms or bus zones of the Municipal Transportation Agency, and urging "non-custodial" dispositions for juvenile violators.

08/03/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

9. 100919 **[Authorizing the Sheriff's Department to Amend its Contract with ARAMARK Correctional Services, LLC for Jail Food Services - Not to Exceed $30,500,000]**
Resolution authorizing the Sheriff's Department to retroactively enter into a Third Amendment to the Agreement between the City and County of San Francisco and ARAMARK Correctional Services, LLC, to increase the contract amount from $22,885,229 to an amount not to exceed $30,500,000 and to extend the contract term to June 30, 2012. (Sheriff)

Question: Shall this Resolution be ADOPTED?

10. 100924 **[Loan from the Metropolitan Transportation Commission to Expand the Scope of the SFpark Pilot Projects - $22,000,000]**
Sponsor: Mirkarimi
Resolution approving a loan agreement between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and the Metropolitan Transportation Commission for $22,000,000 of Congestion Mitigation and Air Quality Improvement funding to be repaid by the San Francisco Municipal Transportation Agency over a five year period with parking-related revenues.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

11. 100930 **[Expend Grant - Adopting California Environmental Quality Act Findings and Authorizing Grant Expenditure for Cesar Chavez Sewer System Improvement Project - $477,900]**
Sponsor: Mayor
Resolution adopting findings under the California Environmental Quality Act, CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of Project No. CENMSCIC11, Cesar Chavez Sewer System Improvement, directing the Clerk of the Board of Supervisors to notify the Controller of this action, and authorizing the San Francisco Public Utilities Commission to expend a grant in the amount of $477,900 from the U.S. Environmental Protection Agency through the Department of the Interior, Environment, and Related Agencies Appropriation Act of 2006.

Question: Shall this Resolution be ADOPTED?

12. 100964 **[Approval of Contract and Accept and Expend Grant - Fire and Emergency Medical Services to the Presidio Trust]**
Sponsor: Alioto-Pier
Resolution authorizing the San Francisco Fire Department to enter into a ten year agreement with the Presidio Trust to provide fire and emergency medical services to portions of the Presidio under the Trust's jurisdiction, with the Trust reimbursing the Fire Department for those services and to accept and expend funds provided to the Fire Department by the Trust as reimbursement for services provided under that agreement.

Question: Shall this Resolution be ADOPTED?

13. 100965 **[Approval of Contract and Accept and Expend Grant - Fire and Emergency Medical Services to National Park Service Managed Areas]**
Sponsor: Alioto-Pier
Resolution authorizing the San Francisco Fire Department to enter into a ten year agreement with the National Park Service to provide fire and emergency medical services to National Park Service managed areas within San Francisco, with National Park Service reimbursing the Fire Department for those services, and to accept and expend funds provided to the Fire Department by the National Park Service as reimbursement for services provided under that agreement.

Question: Shall this Resolution be ADOPTED?

14. 100966 **[Approving the Hiring of Displaced Federal Firefighters]**
Sponsor: Alioto-Pier
Resolution approving the hiring of permanent career civilian federal firefighters displaced by the closure of the National Park Service Fire Station in the Presidio, pursuant to the authority granted by California Government Code Section 53270.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

15. 100434 **[Castro Street Neighborhood Commercial District - Conditional Use Requirements for Restaurants and Self-Service Specialty Food Establishments]**
Sponsor: Dufty
Ordinance amending the San Francisco Planning Code by amending Section 715.1 and Sections 715.42, 715.43, 715.44, and 715.69A of the Zoning Control Table to allow new full-service and small self-service restaurants with a conditional use authorization, to permit self-service specialty food establishments as of right, and to prohibit all large fast food establishments; adopting findings, including environmental findings; amending Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 101015 **[Sewer Line Relocation Agreement with San Francisco State University]**
Sponsor: Elsbernd
Resolution approving and authorizing the Sewer Line Relocation Agreement between the San Francisco Public Utilities Commission, on behalf of the City and County of San Francisco, and San Francisco State University to relocate an existing sanitary sewer and storm drain easement on Assessor's Block No. 7304-001 (part of the University campus) and portions of Font Boulevard and Lake Merced Boulevard in San Francisco; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Relocation Agreement is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, August 5, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 10, 2010.

17. 100954 **[Settlement of Lawsuit - Ricardo Rodriguez - $30,000]**
Ordinance authorizing settlement of the lawsuit filed by Ricardo Rodriguez against the City and County of San Francisco for $30,000; the lawsuit was filed on February 19, 2009, in Superior, Case No. CGC09-485133; entitled Ricardo Rodriguez v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 100955 **[Settlement of Lawsuit - Stanislaus Imports - $245,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Stanislaus Imports against the City and County of San Francisco for $245,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 100956 **[Settlement of Lawsuit - Monte & Joanne Stott and Stott & Associates, Inc. - $32,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Monte & Joanne Stott and Stott & Associates, Inc. against the City and County of San Francisco for $32,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 100957 **[Settlement of Lawsuit - Yannick Constant - $32,500]**
Ordinance authorizing settlement of the lawsuit filed by Yannick Constant against the City and County of San Francisco for $32,500; the lawsuit was filed on April 21, 2008, in San Francisco Superior Court, Case No. 474485; entitled Yanick Constant v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 100958 **[Settlement of Lawsuit - Icenogle IMR Joint Venture - $1,330,000]**
Ordinance authorizing settlement of the lawsuit filed by Icenogle IMR Joint Venture against the City and County of San Francisco for $1,330,000; the lawsuit was filed on September 24, 2007, in San Francisco County Superior Court, and subsequently transferred to Alameda County Superior Court, Case No. RG08391219; entitled Icenogle IMR Joint Venture v. City and County of San Francisco, et al.; other material terms of said settlement are: (1) mutual releases except for latent defects, (2) dismissal of all complaints and cross-complaints with prejudice, (3) each side to bear its own attorneys fees and costs, and (4) plaintiff to be responsible for resolving outstanding stop notices. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 100960 **[Settlement of Lawsuit - CCSF v. Underground Construction Co., et al. - City to Receive $29,000]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Underground Construction Co., et al. by accepting the payment of $29,000 to the City and County of San Francisco; $23,200 from Underground Construction Co. and $5,800 from State Farm; the lawsuit was filed on February 24, 2009, in San Francisco Superior Court, Case No. CGC-09-485059; entitled City and County of San Francisco, et al., v. Underground Construction Co., et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 100994 **[Appointment, Municipal Transportation Agency Board of Directors - Cheryl Brinkman]**
Resolution confirming the appointment of Cheryl Brinkman to the Municipal Transportation Agency Board of Directors, for the term ending March 1, 2014. (Mayor)

Question: Shall this Resolution be ADOPTED?

24. 100996 **[Reappointment, Board of Appeals - Michael Garcia]**
Motion approving the Mayor's reappointment of Michael Garcia to the Board of Appeals, for the term ending July 1, 2014. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - 7/13/10.)

Question: Shall this Motion be APPROVED?

25. 100998 [Reappointment, Entertainment Commission - John Newlin]
Motion approving the Mayor's nomination for reappointment of John Newlin to the Entertainment Commission, for the term ending July 1, 2014. (Clerk of the Board)

(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - 7/20/10.)

Question: Shall this Motion be APPROVED?

The following items will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, August 9, 2010, at 10:30 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 10, 2010.

26. 100155 [Liquor License Transfer - 612 Kearny Street]
Resolution determining that the transfer of a Type 21 Off-Sale General Liquor License from 605 Kearny Street to 612 Kearny Street (District 3) to David C. Huang for David's Food Store will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

27. 100914 [Liquor License Transfer - 690 Stanyan Street]
Resolution determining that the transfer of a Type 20 Off-Sale Beer and Wine Liquor License from 880 Harrison Street to 690 Stanyan Street (District 5) to Joseph N. Rogoff for Whole Food Market California Inc., dba Whole Foods Market will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

28. 101064 [Accept and Expend Gift - Recreation and Park Department Buena Vista Park - $164,760]
Sponsor: Dufty
Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift-in-place valued at $164,760 from the San Francisco Conservation Corps to rehabilitate trails and retaining walls at Buena Vista Park.

Question: Shall this Resolution be ADOPTED?

29. 101074 [Accept and Expend Grant - Place of Fine Arts Historical Landscape and Park Improvements - $500,000]
Sponsor: Alioto-Pier
Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant administered by the California State Library California Cultural and Historical Endowment in the amount of $500,000 for the Palace of Fine Arts historical landscape and park improvement.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, August 9, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 10, 2010.

30. 100971 **[Accept and Expend Grant - Lowe's Local Hiring Agreement - $750,000]**
Sponsor: Mayor
Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $750,000 from Lowe's HIW, Inc., to plan and manage an employment program.

Question: Shall this Resolution be ADOPTED?

31. 100972 **[Accept and Expend Grant - Office of Economic and Workforce Development - Green Jobs - $400,000]**
Sponsor: Mayor
Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $400,000 from Wal-Mart Foundation to plan and manage an employment program.

Question: Shall this Resolution be ADOPTED?

32. 100973 **[Accept and Expend Grant - Office of Economic and Workforce Development - California's Low Income Energy Efficiency Program - $100,000]**
Sponsors: Mayor; Maxwell
Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $100,000 from the California Public Utilities Commission to support CityBuild's implementation of California's Low Income Energy Efficiency Program in San Francisco.

Question: Shall this Resolution be ADOPTED?

33. 100974 **[Accept and Expend Grant - Office of Economic and Workforce Development - CityBuild Program - $200,000]**
Sponsors: Mayor; Maxwell
Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $200,000 from the Evelyn and Walter Haas, Jr., Fund to support the CityBuild Program.

Question: Shall this Resolution be ADOPTED?

34. 101011 **[Accept and Expend Grant - Diesel Emissions Reduction Act - Pier 27 Shoreside Power - $1,000,000]**
Sponsors: Alioto-Pier; Chiu
Resolution authorizing the San Francisco Port Commission to accept and expend a grant from the U.S. Environmental Protection Agency in the amount of $1,000,000 under the Diesel Emissions Reduction Act, to assist in the installation of a shoreside power facility for cruise ships at Pier 27.

Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 35 through 43

35. 101067 [Supporting Assembly Bill 2324 Regarding Public Transit Facilities]
Sponsors: Chu; Chiu and Mar
Resolution supporting Assembly Bill 2324 regarding Public Transit Facilities, making it a misdemeanor for any person to knowingly possess specified weapons at a public transit vehicle facility.

08/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 101068 [Declaring August 18, 2010, as San Francisco HIV Health Services Planning Council Day]
Sponsors: Dufty; Campos
Resolution declaring August 18, 2010, as San Francisco HIV Health Services Planning Council Day in San Francisco.

08/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 101070 **[Gift Acceptance - Building Bocce Courts in Justin Herman Plaza - $61,000]**
Sponsor: Chiu
Resolution authorizing the Recreation and Park Department to accept a gift of labor and construction materials with a value of $61,000 from the Laborers Local 261 Community and Training Foundation to build two bocce courts on the lawn in Justin Herman Plaza.

08/03/2010, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING -

Question: Shall this Resolution be ADOPTED?

38. 101076 **[Apply For State Used Oil Payment Program]**
Sponsor: Mayor
Resolution authorizing the Department of the Environment to apply for the annual Used Oil Payment Program from the California Department of Resources Recycling and Recovery for the purpose of increasing Used Motor Oil Recycling.

08/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 101077 **[Federal Emergency Operations Center Grant Administered by California Emergency Management Agency]**
Sponsor: Mayor
Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of the California, any applications or agreements and to take any actions necessary to obtain federal financial assistance through the federal Emergency Operations Center grant administered by the California Emergency Management Agency.

08/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 101081 **[Candlestick Point - Hunters Point Shipyard Phase II Development Project - Involvement of Ohlone and other Native American Peoples]**
Sponsor: Maxwell
Resolution urging the City Planning Department and Redevelopment Agency to establish specific protocols for ongoing collaboration with representatives of the Ohlone Peoples and other Native American groups for the redevelopment of Candlestick Point and the Hunters Point Shipyard.

08/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 101069 **[Waiving Board Rule 4.29 of the Rules of Order to Schedule Public Hearing(s) on Appeal(s) at 2:30 p.m. instead of 4:00 p.m. at the September 7, 2010, Board Meeting]**

Motion waiving Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) shall be scheduled at 2:30 p.m. rather than 4:00 p.m. at the September 7, 2010, Board meeting. (Clerk of the Board)

08/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

42. 101078 **[Final Map 3668 - 805 Rutland Street and 199 Leland Avenue]**

Motion approving Final Map 3668, a Six Residential Unit and One Commercial Unit Mixed-Use Condominium Project, located at 805 Rutland Street and 199 Leland Avenue being a subdivision of Lot No. 016 in Assessors Block No. 6251 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

08/03/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

43. 101080 **[Final Map 5785 - 5800 Third Street]**

Motion approving Final Map 5785, a Three Lot Subdivision, Lot 1 being a 142 Unit Mixed-Use Condominium Project and Lot 2 being a 102 Unit Residential Condominium Project, located at 5800 Third Street being a subdivision of Lot No. 001 in Assessors Block No. 5431A and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

08/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

44. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCE

Proposed ordinance received from July 27, 2010, to August 2, 2010, for reference by President to appropriate committee on August 10, 2010.

101051 **[Approval to Implement Alternative Bid Process for Construction Trade Packages for the Renovation and Construction of the George S. Moscone Convention Center]**
Ordinance authorizing the San Francisco Department of Public Works to implement an alternative bid process for construction trade packages and to award contracts for construction services, for the renovation of and capital improvements to the Moscone Convention Center. (Public Works Department)

07/30/2010: ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

101082 **[Petitions and Communications]**

Petitions and Communications received from July 27, 2010, through August 2, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on August 10, 2010.

From Human Services Agency, submitting their revised FY2009-2010 savings projections for the Human Services Care Fund. Copy: Each Supervisor (1)

From Recreation and Parks Department, submitting the Lead Poisoning Prevention Quarterly Report. (2)

From Office of Citizen Complaints, submitting their Quarterly Report for the Second Quarter of FY2010. Copy: Each Supervisor (3)

From Office of the Controller, submitting an audit report of contractor compliance with the Administrative Code, Local Business Enterprise, and Non-Discrimination in Contracting Ordinance. Copy: Each Supervisor (4)

From Clerk of the Board, the following departments have submitted their Sole Source contracts for FY2009-2010: (5)
Arts Commission
Controller
Department of Elections

From the Ethics Commission, regarding the amount of funds in the Election Campaign Fund. Copy: Each Supervisor (6)

From Clerk of the Board, the following departments have submitted their 2010 Local Agency Biennial Notices: (7)
Airport Commission
Building Inspection
Fine Arts Museums
Mayor's Office

From Office of the Mayor, submitting the reappointment of Anson B. Moran to the Public Utilities Commission. Copy: Each Supervisor and Clerk (8)

From Wolf Frommer, regarding Sunset Scavenger's rate increase. Copy: Each Supervisor (9)

From California Network of Mental Health Clients, regarding the cost to implement AB1421 (Laura's Law). File No. 100751, Copy: Each Supervisor (10)

From Office of the Controller, submitting the Government Barometer Report for June 2010. (11)

From Department of Elections, submitting notice of the deadline to submit disclaimer requirements for local ballot measures is 5:00 p.m. on Thursday, August 12, 2010. Copy: Each Supervisor (12)

From Barbara Gainer, submitting opposition to construction of 28 new-single family dwellings on 28 lots with 42 parking spaces at One Capitol Avenue. Copy: Each Supervisor (13)

From concerned citizens, submitting support for passage of Laura's Law in San Francisco. File No. 100751, Copy: Each Supervisor, 4 letters (14)

From Aaron Goodman, regarding the Bayview Hunters Point Shipyard Project. File No. 100861. Copy: Each Supervisor. (15)

From Aaron Goodman, urging the Board of Supervisors to place proposed legislation regarding the sewer line relocation agreement with S.F. State University under the 30 Day Rule. File No. 101015. Copy: Land Use Committee Members, 2 letters. (16)

From Gary Bowers, regarding the Arizona Boycott. (17)

From Department of Emergency Management, regarding Spanish and Cantonese added to the Tuesday Noon-Siren. (18)

From concerned citizens, submitting opposition to proposed legislation concerning alcohol tax. File No. 100865, Copy: Budget and Finance Committee, 15 letters. (19)

From Courtney Vaudreuil, submitting support for the ban on animal sales in San Francisco. (20)

From concerned citizens, regarding proposed cell tower for the dome of Ner Tamid Synagogue. 2 letters. (21)

From Kate Bernier, regarding the utilities new pulsed, wireless smart meters being part of a centralized smart grid. Copy: Each Supervisor. (22)

From Arthur Evans, regarding the drug addicts and alcoholics in the Haight Ashbury district. Copy: Supervisor Mirkarimi. (23)

From Bureau of Street & Sewer Repair, regarding potholes and sidewalk issues in District 5. (Reference No. 20100713-001). (24)

From concerned citizens, submitting opposition to any new taxes on small businesses in San Francisco. File No. 100759, Copy: Each Supervisor, 2 letters. (25)

From Patrick Monette-Shaw, regarding Laguna Honda Hospital. 2 letters. (26)

From Sandy Rothman, submitting opposition to proposed plan for a disc-golf course in McLaren Park. (27)

From concerned citizen, commenting that Sutter Health and California Pacific Medical Center has a long history of attempting to eliminate union representation for its employees. (28)

From National Council on Alcoholism and Drug Addictions-Bay Area, submitting opposition to granting liquor license to the owners of property located at 450 Powell Street. File No. 100685, Copy: City Operations and Neighborhood Services Committee Members. (29)

From concerned citizens, submitting support for the construction of the proposed new St. Luke's Campus at Van Ness and Geary. 2 postcards. (30)

From Clerk of the Board, submitting report of the Sole Source contracts entered into for FY2009-2010. (31)

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

GOVERNMENT
DOCUMENTS DEPT
AUG 30 20
SAN FRANCISCO
PUBLIC LIBRARY

Date: **Tuesday, September 7, 2010**

Time: **2:30 p.m.**

Location: **Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102**

Subject: **Hearing of persons interested in or objecting to the decision of the Planning Commission's July 8, 2010, Certification of a Final Environmental Impact Report identified as Planning Case No. 2005.1074E, through its Motion No. 18135, for a proposed retail shopping center (aka CityPlace) to demolish three existing mixed-use commercial and office buildings and construct a new five-story, approximately 90-foot tall building, containing approximately 375,700 gross square feet and approximately 188 off-street parking spaces in a two-story underground garage, with three levels below grade, one for retail use and the other two for parking, at 935-965 Market Street, between Fifth and Sixth Streets within the C-3-G (Downtown General Commercial) and C-3-R (Downtown Retail) Zoning Districts and a 120-X Height and Bulk District, Lot Nos. 071, 072, and 073, in Assessor's Block No. 3704. (District 6) (Appellant: Arthur D. Levy on behalf of Livable City and Walk San Francisco)**

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information will be available for public review on Thursday, September 2, 2010.

for

Angela Calvillo
Clerk of the Board

DATED: August 27, 2010

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
DOCUMENTS DEPT

SEP - 3 2010

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, September 7, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at www.sfbos.org/meetings <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the Board Minutes for July 13, 2010, July 20, 2010, July 27, 2010, August 3, 2010, August 10, 2010, and Special Board of Supervisors Meetings of the Budget and Finance Committee of July 1, 2010, and July 9, 2010.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

1. 100434 **[Castro Street Neighborhood Commercial District - Conditional Use Requirements for Restaurants and Self-Service Specialty Food Establishments]**
Sponsor: Dufty
Ordinance amending the San Francisco Planning Code by amending Section 715.1 and Sections 715.42, 715.43, 715.44, and 715.69A of the Zoning Control Table to allow new full-service and small self-service restaurants with a conditional use authorization, to permit self-service specialty food establishments as of right, and to prohibit all large fast food establishments; adopting findings, including environmental findings; amending Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

08/10/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present Supervisors Campos, Mar

2. 100954 [Settlement of Lawsuit - Ricardo Rodriguez - $30,000]
Ordinance authorizing settlement of the lawsuit filed by Ricardo Rodriguez against the City and County of San Francisco for $30,000; the lawsuit was filed on February 19, 2009, in Superior, Case No. CGC09-485133; entitled Ricardo Rodriguez v. City and County of San Francisco, et al. (City Attorney)

08/10/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 100955 [Settlement of Lawsuit - Stanislaus Imports - $245,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Stanislaus Imports against the City and County of San Francisco for $245,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

08/10/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 100956 [Settlement of Lawsuit - Monte and Joanne Stott and Stott and Associates, Inc. - $32,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Monte and Joanne Stott and Stott and Associates, Inc. against the City and County of San Francisco for $32,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

08/10/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 100957 [Settlement of Lawsuit - Yannick Constant - $32,500]
Ordinance authorizing settlement of the lawsuit filed by Yannick Constant against the City and County of San Francisco for $32,500; the lawsuit was filed on April 21, 2008, in San Francisco Superior Court, Case No. 474485; entitled Yannick Constant v. City and County of San Francisco, et al. (City Attorney)

08/10/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 100958 **[Settlement of Lawsuit - Icenogle IMR Joint Venture - $1,330,000]**
Ordinance authorizing settlement of the lawsuit filed by Icenogle IMR Joint Venture against the City and County of San Francisco for $1,330,000; the lawsuit was filed on September 24, 2007, in San Francisco County Superior Court, and subsequently transferred to Alameda County Superior Court, Case No. RG08391219; entitled Icenogle IMR Joint Venture v. City and County of San Francisco, et al.; other material terms of said settlement are: (1) mutual releases except for latent defects, (2) dismissal of all complaints and cross-complaints with prejudice, (3) each side to bear its own attorneys fees and costs, and (4) plaintiff to be responsible for resolving outstanding stop notices. (City Attorney)

08/10/2010, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 100960 **[Settlement of Lawsuit - CCSF v. Underground Construction Co., et al. - City to Receive - $29,000]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Underground Construction Co., et al. by accepting the payment of $29,000 to the City and County of San Francisco; $23,200 from Underground Construction Co. and $5,800 from State Farm; the lawsuit was filed on February 24, 2009, in San Francisco Superior Court, Case No. CGC-09-485059; entitled City and County of San Francisco, et al., v. Underground Construction Co., et al. (City Attorney)

08/10/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 101000 **[Appointment, Veteran Affairs Commission - Anthony Alfidi]**
Motion appointing Anthony Alfidi, term ending January 31, 2012, to the Veterans Affairs Commission. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:

REGULAR AGENDA

NEW BUSINESS

From the Budget and Finance Committee Without Recommendation

Present Supervisors Avalos, Mirkarimi, Elsbernd

9. 100865 [Establishing an Alcohol Cost Recovery Fee]
Sponsors: Avalos; Mirkarimi, Maxwell and Mar
Ordinance amending the San Francisco Administrative Code, Chapter 106, by adding Sections 106 through 106.28, to impose a fee on alcoholic beverage wholesalers and certain other persons who distribute or sell alcoholic beverages in San Francisco to: 1) recover a portion of San Francisco's alcohol-attributable unreimbursed health costs, and; 2) fund administration costs.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present Supervisors Maxwell, Mar, Chiu

10. 100880 [Landmark Tree Designation of Redwood Tree Located at 46 Stillings Avenue]
Sponsor: Dufty
Ordinance designating the redwood tree (sequoia sempervirens) located at 46 Stillings Avenue (Assessor's Block No. 6734, Lot No. 023) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 101005 [Exceptions to Seismic Safety Loan Program Requirements to Allow for a $15,000,000 Loan to Arlington Residence - 480 Ellis Street]
Sponsors: Chu; Alioto-Pier
Ordinance approving exceptions to requirements of the Seismic Safety Loan Program pursuant to San Francisco Administrative Code Sections 66 and 66A and the Program Regulations, dated May 2006, adopted by the Board of Supervisors through Ordinance No. 122-06, to allow for a $15,000,000 Seismic Safety Loan Program loan for an existing affordable housing project at the Arlington Residence, 480 Ellis Street, San Francisco, California.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 100870 **[Establishing an Area Plan Infrastructure Finance Committee]**
Sponsor: Maxwell
Resolution establishing an Area Plan Infrastructure Finance Committee to supervise a consultant study to develop policy criteria and recommendations on the use of Infrastructure Finance Districts (IFDs) in newly adopted area plans, including within the Eastern Neighborhoods Area Plans, to determine the appropriate steps to form IFDs, and to supervise the formation of a pilot Infrastructure Finance District in Rincon Hill.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present Supervisors Campos, Mar

13. 100472 **[Access Appeals Commission - Notice to the Mayor's Office of Disability]**
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Building Code by adding Section 105A.3.10 to require that an agenda and packet of materials for each matter to be decided by the Access Appeals Commission shall be sent to the Mayor's Office of Disability at the same time and in the same manner as they are sent to the Commission members.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 091408 **[Approving Settlement of Unlitigated Claim Against the City by Comcast]**
Sponsor: Mirkarimi
Resolution approving settlement of an unlitigated claim made by Comcast Cable Communications, LLC, against the City and County of San Francisco.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 2:30 P.M.

(Note: Special Order start time changed pursuant to File No. 101069, approved August 10, 2010.)

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

15. 101027 [Public Hearing - Appeal of Final Environmental Impact Report for 935-965 Market Street (aka CityPlace)]

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 8, 2010, Certification of a Final Environmental Impact Report identified as Planning Case No. 2005.1074E, through its Motion No. 18135, for a proposed retail shopping center (aka CityPlace) to demolish three existing mixed-use commercial and office buildings and construct a new five-story, approximately 90-foot tall building, containing approximately 375,700 gross square feet and approximately 188 off-street parking spaces in a two-story underground garage, with three levels below grade, one for retail use and the other two for parking, at 935-965 Market Street, between Fifth and Sixth Streets within the C-3-G (Downtown General Commercial) and C-3-G (Downtown Retail) Zoning Districts and a 120-X Height and Bulk District, Lot Nos. 071, 072, and 073, in Assessor's Block No. 3704. (District 6) (Appellant: Arthur D. Levy on behalf of Livable City and Walk San Francisco.)

(Filed July 28, 2010; Companion to File Nos. 101028, 101029, 101030.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

16. 101028 [Affirming the Certification of the 935-965 Market Street Project Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 935-965 Market Street Project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

17. 101029 **[Reversing the Certification of the 935-965 Market Street Project Final Environmental Impact Report]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 935-965 Market Street Project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

18. 101030 **[Preparation of Findings to Reverse Certification of the 935-965 Market Street Project Final Environmental Impact Report]**
Motion directing the Clerk of the Board to prepare findings reversing the certification of the Final Environmental Impact Report for the 935-965 Market Street Project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 2:30 P.M.

19. 101041 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 10 Bernal Heights Boulevard]**
Hearing of persons interested in or objecting to the decision of the Planning Commission's July 1, 2010, Determination of Exemption from Environmental Review identified as Planning Case No. 2010.0306C, by its Motion No. 18131, which included the exemption determination, that a project located at 10 Bernal Heights Boulevard is exempt from environmental review under California Environmental Quality Act (CEQA) Guidelines Sections 15301 Class (1), 15303 (Class 3), and 15311 (Class 11), to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park within an RH-1(D) (Residential, House, Single-Family, Detached) Zoning District and a 40-X Height and Bulk District, on property located at 10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548. (District 9) (Appellant: Erick Arguello on behalf of the Lower 24th Street Merchant Association.)

(Filed August 2, 2010; Companion Measure to File Nos. 101042, 101043, 101044.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

20. 101042 **[Affirming the Exemption Determination for 10 Bernal Heights Boulevard]**
Motion affirming the determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

21. 101043 **[Reversing the Exemption Determination Issued for 10 Bernal Heights Boulevard]**
Motion reversing the determination by the Planning Commission that the 10 Bernal Heights Boulevard project is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

22. 101044 **[Preparation of Findings to Reverse the Exemption Determination for the 10 Bernal Heights Boulevard Project]**
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 2:30 P.M.

23. 101045 **[Public Hearing - Conditional Use Appeal for 10 Bernal Heights Boulevard]**
Hearing of persons interested in or objecting to the decision of the Planning Commission's July 1, 2010, Conditional Use Permit identified as Planning Case No. 2010.0306C, by its Motion No. 18131, under Planning Code Sections 209.6(b) and 303, to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park and to modify the Conditional Use approval under Case No. 2008.1157C to change the number of allowed antennas on the site within the RH-1(D) (Residential, House, Single-Family, Detached) Zoning District, and a 40-X Height and Bulk District, on property located at 10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548. (District 9) (Filed by Erick Arguello on behalf of the Lower 24th Street Merchant Association, and subscribed by Supervisors Campos, Mar, Chiu, Chu, Mirkarimi, and Avalos.)

(Filed August 2, 2010; Companion Measure to File Nos. 101046, 101047, 101048.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

24. 101046 **[Approving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]**
Motion approving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

25. 101047 **[Disapproving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]**
Motion disapproving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

26. 101048 **[Preparation of Findings Related to the Conditional Use Appeal for 10 Bernal Heights Boulevard]**
Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Application No. 2010.0306C on property located at 10 Bernal Heights Boulevard. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 2:30 P.M.

27. 101087 **[Public Hearing - Conditional Use Appeal for 3150 California Street]**
Hearing of persons interested in or objecting to the decision of the Planning Commission's July 8, 2010, Conditional Use Permit identified as Planning Case No. 2010.0357C, by its Motion No. 18139, under Planning Code Sections 303 and 703.3 to allow a Formula Retail Use (dba Pet Food Express) in an NC-2 (Neighborhood Commercial, Small Scale) District and a 40-X Height and Bulk District, on property located at 3150 California Street, Lot No. 013, in Assessor's Block No. 1022. (District 2) (Filed by Susan Landry on behalf of The Animal Connection II, and subscribed by Supervisors Mar, Maxwell, Avalos, Campos, and Chiu)

(Filed August 6, 2010; Companion Measure to File Nos. 101088, 101089 and 101090)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

28. 101088 **[Approving Planning Commission Decision Related to Conditional Use Appeal for 3150 California Street]**
Motion approving the decision of the Planning Commission, by its Motion No. 18139, approving Conditional Use Application 2010.0357C on property located at 3150 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

29. 101089 [Disapproving Planning Commission Decision Related to Conditional Use Appeal for 3150 California Street]
Motion disapproving the decision of the Planning Commission, by its Motion No. 18139, approving Conditional Use Application 2010.0357C on property located at 3150 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

30. 101090 [Preparation of Findings Related to the Conditional Use Appeal for 3150 California Street]
Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Application No. 2010.0357C on property located at 3150 California Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 31 through 34

31. 101111 **[Application for Grant - Augmenting the Greening and Storm Water Features of the Cesar Chavez Street Redesign Project]**
Sponsor: Campos
Resolution authorizing the San Francisco Planning Department to apply for a grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to augment the greening and storm water features of the Cesar Chavez Street Redesign Project.

08/10/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 101112 **[Accept and Expend Grant - Web Based Recycling, Reuse, and Disposal Options - $25,000]**
Sponsor: Mayor
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $25,000 from the County of Alameda to serve as the lead in the creation a web-based application that enables the public to easily find accurate information about nearby recycling, reuse, and disposal options.

08/10/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 101113 **[Application for Grant - Construction of HillPoint Park Open Space Project]**
Sponsors: Mayor; Maxwell
Resolution approving the application for grant funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River, and Coastal Protection Bond Act of 2006 (Proposition 84) for construction of the HillPoint Park Open Space Project.

08/10/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 101114 [Application for Grant - Strategic Growth Council Sustainable Communities - Greenway Network Plan]

Sponsor: Mayor

Resolution authorizing the San Francisco Planning Department to apply for a planning grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River, and Coastal Protection Bond Act of 2006 (Proposition 84) to complete a Greenway Network Plan.

08/10/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

35. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from August 3, 2010, to August 30, 2010, for reference by President to appropriate committee on September 7, 2010.

100697 **[General Plan Amendments - Updating the Noise Maps of the Environmental Protection Element]**

Ordinance amending the San Francisco General Plan by amending the Noise Maps of the Environmental Protection Element to reflect current conditions; making conforming text amendments; and making findings, including findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and environmental findings. (Planning Department)

08/11/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

100829 **[Planning Code - Car-Share Controls]**

Ordinance amending the San Francisco Planning Code, including Section 151.1 to enable the Planning Commission to require the provision of annual memberships to certified car-share organizations to residents of certain new development projects when certain findings are made; Section 163 to promote car-share services as a component of transportation management programs and transportation brokerage services; and Section 166 to permit car-share spaces in the same manner as residential accessory parking and require that car-sharing requirements for non-residential uses apply to all zoning districts; adopting findings, including findings under Section 302 of the Planning Code, environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

08/24/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

100878 **[San Francisco Fire Code - Repealing and Replacing]**

Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2010 San Francisco Fire Code consisting of the 2010 California Fire Code and portions of the 2009 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

08/27/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

100910 **[Settlement of Lawsuit - California Department of Fair Employment and Housing (Zimmerman) - $105,000]**

Ordinance authorizing settlement of the lawsuit filed by the California Department of Fair Employment and Housing (Plaintiff), Linda Zimmerman (Real Party In Interest) against the City and County of San Francisco for $105,000, the lawsuit was filed on March 4, 2009, in San Francisco Superior Court, Case No. CGC-09-485723; entitled Department of Fair Employment and Housing (Zimmerman) v. City and County of San Francisco. (City Attorney)

08/04/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100911 **[Settlement of Lawsuit - Michael Lew - $90,000]**
Ordinance authorizing settlement of the lawsuit filed by Michael Lew against the City and County of San Francisco for $90,000, including reemployment and restoration of vacation and sick leave; the lawsuit was filed on May 11, 2009, in San Francisco Superior Court, Case No. CGC-09-488262; entitled Michael Lew v. City and County of San Francisco, et al. (City Attorney)

08/04/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100946 **[Building Code - Repealing and Replacing]**
Ordinance repealing the 2007 San Francisco Building Code in its entirety and replacing that Code with a new 2010 San Francisco Building Code that consists of the 2010 California Building Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

09/07/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

100950 **[San Francisco Building Code - Residential Building - Repealing and Replacing]**
Ordinance incorporating the provisions of the 2010 California Residential Code into various chapters of the San Francisco Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the San Francisco Building Code; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

09/07/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

100952 **[San Francisco Electrical Code - Repealing and Replacing]**
Ordinance repealing the 2007 San Francisco Electrical Code in its entirety and replacing that code with a new 2010 San Francisco Electrical Code that consists of the 2010 California Electrical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

09/07/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

101126 **[San Francisco Mechanical Code - Repealing and Replacing]**
Ordinance repealing the 2007 San Francisco Mechanical Code in its entirety and replacing that code with a new 2010 San Francisco Mechanical Code that consists of the 2010 California Mechanical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

09/07/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

101127 **[San Francisco Plumbing Code - Repealing and Replacing]**
Ordinance repealing the 2007 San Francisco Plumbing Code in its entirety and replacing that code with a new 2010 San Francisco Plumbing Code that consists of the 2010 California Plumbing Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

09/07/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

101128 **[San Francisco Building Code - Green Building - Repealing and Replacing]**
Ordinance repealing Chapter 13C of the San Francisco Building Code in its entirety and enacting a new Chapter 13C that consists of the 2010 California Green Building Standards Code with local amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and Public Resources Code Section 25402.1(h)(2), and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

09/07/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from August 3, 2010, to August 30, 2010, for reference by President to appropriate committee on September 7, 2010.

100526 **[Gift Acceptance - Fire Department - Five Commercial Washer-Extractors - $44,000]**
Resolution authorizing the San Francisco Fire Department to accept a gift from the San Francisco Firefighters' Cancer Prevention Foundation of five commercial washer-extractors valued at approximately $44,000 to clean personal protective equipment. (Fire Department)

08/18/2010; RECEIVED AND ASSIGNED to the City Operations and Neighborhood Services Committee.

100894 **[Increasing Contract with Xtech to $41,000,000]**
Resolution authorizing the Office of Contract Administration to enter in the First Amendment between the City and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract amount from $24,000,000 to $41,000,000 and update certain standard contractual clauses. (Office of Contract Administration)

08/09/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100877 **[Board Response to the 2009-2010 Civil Grand Jury Report Entitled "Sharing the Roadway: From Confrontation to Conversation"]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2009-2010 Civil Grand Jury Report entitled "Sharing the Roadway: From Confrontation to Conversation" and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget. (Clerk of the Board)

08/26/2010; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

100912 **[Settlement of Lawsuit - Robin Leiter Cohen - $31,000]**

Resolution approving the settlement of the unlitigated claim filed by Robin Leiter Cohen against the City and County of San Francisco for $31,000; claim was filed on September 4, 2009. (City Attorney)

08/04/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100983 **[Approve Modification of Lease with Japan Airlines]**

Resolution approving and authorizing the execution of Modification No. 1 to Lease No. L01-0297 with Japan Airlines Company Limited to reduce the demised premises and the annual rent at Building 944 on Plot 50B-1 at San Francisco International Airport. (Airport Commission)

08/26/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100984 **[Memorandum of Agreement with the National Park Service - Not to Exceed $30,000,000]**

Resolution approving the Memorandum of Agreement with the National Park Service for the Comprehensive Management of Yosemite National Park Watersheds that supply water to the San Francisco Regional Water System pursuant to Charter Section 9.118. (Public Utilities Commission)

08/27/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101129 **[Petitions and Communications]**

Petitions and Communications received from August 3, 2010, through August 30, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 7, 2010.

From Department of Human Resources, submitting request for waiver of Administrative Code Chapter 12B for South San Francisco Conference Center Martinez. (1)

From concerned citizens, submitting opposition to placing a bocce ball court in Justin Herman Plaza. File No.101070, 5 letters (2)

From California Public Utilities Commission, submitting notice of application filed by PG&E asking for authority to recover costs associated with Assembly Bill 32 Cost of Implementation Fee. (3)

From Aaron Goodman, urging the Board of Supervisors to place proposed legislation regarding the sewer line relocation agreement with S.F. State University under the 30 Day Rule. File No. 101015, Copy: Land Use Committee Members, 2 letters (4)

From T Mobile, submitting notification of three cellular antennas to be installed at 1 McCoppin Street. (5)

From Office of the Mayor, submitting the nomination of Rosario Anaya for appointment to the Redevelopment Agency Commission. Copy: Each Supervisor, City Attorney, Rules Committee Clerk (6)

From Office of the Mayor, submitting the reappointment of Gwen Borden to the Planning Commission. Copy: Each Supervisor, City Attorney, Rules Committee Clerk (7)

From concerned citizens, submitting opposition to expanding parking meter hours/and or Sunday metering. 5 letters (8)

From Joseph Kautz, regarding parking ticket. (9)

From the Office of the Treasurer and Tax Collector, submitting their investment report for the month of June 2010. Copy: Each Supervisor (10)

From Department of Elections, submitting a revised notice of the deadline to submit disclaimer requirements for local ballot measures of Thursday, August 12, 2010, at 5:00 p.m. Copy: Each Supervisor (11)

From the Clerk of the Board, submitting Form 700 Statement of Economic Interest for Leslie Hilger, Legislative Aide, Assuming (12)

From concerned citizen, submitting opposition to ban on plastic bags. (13)

From Airport, submitting the Capital Improvement Project Expenditures Report for the two-year period beginning July 1, 2008, and ending June 30, 2010. Copy: Each Supervisor (14)

From Real Estate Division, submitting request for waiver of Administrative Code Chapters 12B and 14B for the Chicago Title Company. (15)

From Department of Elections, submitting copy of letter sent to the proponent of petition regarding employee contributions to the retirement and health plans initiative, that the petition did have sufficient valid signatures to qualify for the November 2, 2010, Consolidated General Election to be held in the City and County of San Francisco. Copy: Each Supervisor (16)

From Alvin Johnson, commenting on public employee pensions in California. (17)

From Webster Bones, submitting support for saving Sacred Heart Church. (18)

From concerned citizen, submitting support for the sit/lie law. (19)

From Department Public Works, regarding status of repairing potholes in District 5. (20)

From T Mobile, submitting notification of two cellular antennas to be installed at 5 The Embarcadero. (21)

From Planning Department, confirming that the funding provided in the budget for FY2010-2011, as adopted by the Board of Supervisors, is adequate for their department to meet service levels as proposed to the Board, with the caveat that the current reserve of $1.1 million on the Department's General Fund is released. (22)

From various City Departments, confirming that the funding provided in the budget for FY2010-2011, as adopted by the Board of Supervisors, is adequate for their department to meet service levels as proposed to the Board. (23)
Airport
Asian Art Museum
Assessor-Recorder
Board of Appeals
Building Inspection
California Academy of Sciences
Office of Citizen Complaints
Office of Clerk of the Board
Office of Economic Workforce
Chief Medical Examiner
Department of Child Support Services
Department of Children, Youth & Their Families
Department of the Environment
Civil Service Commission
Office of the City Administrator
Office of the City Attorney
Office of the Controller
Office of the District Attorney
Department of Elections
Department of Emergency Management
Employees' Retirement System
Ethics Commission
Children and Families Commission
Fine Arts Museums of San Francisco
Fire Department
Health Service System
Department of Human Resources
Law Library
Office of the Mayor
Mayor's Office of Housing
Human Services Agency
Municipal Transportation Agency
Office of the Public Defender
Public Library
Public Utilities Commission
Public Works
Recreation and Parks Department
Residential Rent Stabilization and Arbitration Board
Department on the Status of Women
War Memorial and Performing Arts Center

From Clerk of the Board, the following departments have submitted their 2010 Local Agency Biennial Notices: (24)
Department of Aging and Adult Services
Asian Art Museum
Children and Their Families Commission
Department of Children, Youth and Their Families
Department of Human Services
Office of City Administrator/General Services Agency
Office of Economic and Workforce Investment
Civil Grand Jury
Employees' Retirement System
Department of Emergency Management
Fire Department
Municipal Transportation Agency
Planning Department
Department of Public Health
Public Utilities Commission
Recreation and Parks Department
Retire Health Care Trust Fund Board
Sheriff's Department
Small Business Commission

From Office of the Controller, submitting an audit report of fixed rent agreements with rents exceeding $100,000 administered by the Public Utilities Commission. Copy: Each Supervisor (25)

From Cheryl Richard, submitting support for proposed legislation concerning the alcohol mitigation fee. File No. 100865, Copy: Each Supervisor (26)

From concerned citizens, submitting opposition to proposed legislation concerning the alcohol mitigation fee. File No. 100865, Copy: Each Supervisor, Approximately 250 letters and postcards (27)

From Office of the Mayor, submitting the nomination of Harry Kim, Steven Jin Lee, Allen Okamoto, and Natividad M. Ramirez to the San Francisco Relocation Appeals Board. Copy: Each Supervisor, Rules Committee Clerk, City Attorney (28)

From Civil Service Commission, submitting survey of monthly rates paid to police and firefighters in all cities of 350,000 or more in the State of California. Copy: Each Supervisor (29)

From Michael Hutchinson, submitting opposition to proposed location of a new Target Store in San Francisco. Copy: Supervisors Chiu, Alioto-Pier, Mirkarimi (30)

From Office of the Controller, submitting report concerning the compliance audit of Air Canada, covering the period from July 1, 2007, through June 30, 2009. (31)

From Jacqueline Choy, regarding the Golden Gate Park Senior Center. Copy: Supervisor Chiu (32)

From California Public Utilities Commission, submitting notice that PG&E filed its default residential rate design application that includes a proposal for residential electric pricing called dynamic pricing, and a request for recovery of implementation costs. (33)

From Patricia Forsdyke, submitting support for passage of Laura's Law. (34)

From Patrick Monette-Shaw, regarding St. Luke's Hospital. (35)

From Arthur Evans, submitting support for passage of Proposition L that amends the San Francisco Police Code by adding Section 168 to promote civil sidewalks. 2 letters (36)

From Carleton Hoffman, regarding illegally parked cars not being cited by some police and parking control officers. (37)

From S.F. Convention and Visitors Bureau, announcing that San Francisco will be the featured destination in the November 2010, issue of Southwest Spirit Magazine, the in-flight magazine of Southwest Airlines. (38)

From Patrick Monette-Shaw, regarding San Francisco General Hospital. 2 letters (39)

From Vicki Tiernan, submitting support for proposed measure to ban the use of toys as incentives with foods containing an excess of fat, sugar, or salt. File No. 101096 (40)

From Tim Giangiobbe, commenting that the Bank of America ATMs have better security than other banks. (41)

From Tim Giangiobbe, submitting support for bringing "America's Cup" to the bay area. (42)

From Bayer Health Care Pharmaceuticals, submitting the Milliman Report regarding the cost of contraceptive coverage and pregnancy care. (43)

From Department of Human Resources, submitting request for waiver of Administrative Code Chapter 12B for Holiday Inn Golden Gateway. (44)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from Thursday, August 19, 2010, until Sunday, August 22, 2010. Supervisor Elsbernd will serve as Acting Mayor. Copy: Each Supervisor, City Attorney (45)

From Stephen Cohen, submitting support for preserving Sharp Park Golf Course. (46)

From Department of Public Health, submitting the Hazardous Materials Spill Report. (47)

From Jared Roussel, thanking the Board of Supervisors for all their hard work. (48)

From Municipal Transportation Agency, submitting parking meter revenue for FY2005-2006 through FY2009-2010. Copy: Each Supervisor, Budget and Finance Committee Clerk (49)

From Carlo Middione, submitting support for passage of Laura's Law. (50)

From Bob Larive, commenting on the "street people" that hang out in the Fisherman's Wharf and North Beach areas day and night. (51)

From Richard Skaff, regarding the modified and accessible bar section of Nopa Restaurant. (52)

From Arthur Evans, regarding the Rose Garden that was vandalized in Golden Gate Park. (53)

From Charles Long, submitting opposition to proposed Charter Amendment concerning Non-Citizen Voting in School Board Elections. File No. 100635 (54)

From Yvette Tee, regarding the Recreation and Parks Department. Copy: Each Supervisor (55)

From California Public Utilities Commission, submitting notice of application filed by PG&E to recover the pumped storage study costs. (56)

From Department of the Environment, regarding Charter Section 4.104, rules and regulations for cell phone retailer's duty to disclose specific absorption rate values ordinance. Copy: Each Supervisor (57)

From Department of Public Works, submitting report concerning the use of funds appropriated from the Local Street and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006 by the Department of Public Works. Copy: Each Supervisor (58)

From Office of the Controller, submitting an assessment report for the Laguna Honda Hospital and Rehabilitation Center's model of care. (59)

From Nancy Federice, submitting opposition to renaming Third Street Willie Brown Jr. Boulevard. (60)

From T-Mobile, submitting notification of two cellular antennas to be installed at 631 O'Farrell Street. (61)

From T-Mobile, submitting notification of eight cellular antennas to be installed at 890 Jackson Street. (62)

From T-Mobile, submitting notification of two cellular antennas to be installed at Avenue D and 10th Street. (63)

From T-Mobile, submitting notification of six cellular antennas to be installed at 100 Armory Road. (64)

From T-Mobile, submitting notification of eight cellular antennas to be installed at 1844 Irving Street. (65)

From concerned citizens, submitting support for construction of the proposed St. Luke's Campus at Van Ness and Geary. 2 letters (66)

From Police Department, confirming that the funding provided in the budget for FY2010-2011, as adopted by the Board of Supervisors, is adequate for their department to meet service levels as proposed to the Board based on a series of assumptions which include, but are not limited to, the following: that the $23,283,979 of salary and fringe funding currently on Controller's Reserve is released; that the $8,158,920 of salary and fringe funding currently on Budget and Finance Committee Reserve is released; that there are no significant increase in service deployment, which are directly related to increases in serious criminal activity, natural disasters or elevated homeland security threat levels; and that any legislative mandates related to re-deployment of Police Department resources include the appropriation of additional funds to address these mandates. (67)

From Office of the Sheriff, confirming that the funding provided in the budget for FY2010-2011, as adopted by the Board of Supervisors, is adequate for their department to meet service levels as proposed to the Board with four exceptions: an increase in jail population due to reductions to the State Department of Corrections' budget as a result of changes in sentencing and parole policies as well as increased local bookings and other factors; the possible reduction in court funding for security services due to court closures if included in the State budget; the possible reduction of two State grants, Standards and Training for Corrections grant and Peace Officers Standards and Training grant; and the possible inability to achieve projected debt service savings. (68)

From Superior Court of California, County of San Francisco, confirming that the funding provided in the budget for FY2010-2011, as adopted by the Board of Supervisors, is not adequate for their department to meet service levels as proposed to the Board. (69)

From Department of Human Services, submitting request for waiver of Administrative Code Chapter 12B for Target Department Store. (70)

From Department of Human Services, submitting request for waiver of Administrative Code Chapter 12B for Safeway, Inc. (71)

From concerned citizens, submitting opposition to the decision of the Planning Commission, by its Motion No. 18139, approving Conditional Use Application 2010.0357C for Pet Food Express located at 3150 California Street. File No. 101087, Copy: Each Supervisors, 2 letters (72)

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF CANCELLED MEETING

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the meeting of the San Francisco Board of Supervisors scheduled for Tuesday, September 7, 2010, at 2:00 p.m. at 1 Dr. Carlton B. Goodlett Place, Room 250, San Francisco, California, has been **CANCELLED**. Agenda items are being moved to the Regular Meeting of Tuesday, September 14, 2010, at 2:00 p.m., unless otherwise indicated.

Please note, Special Order agenda items, scheduled for 2:30 p.m. will be heard at the Regular Meeting of the Board of Supervisors next Tuesday, September 14, 2010, at 2:30 p.m.

Angela Calvillo, Clerk of the Board

POSTED: September 7, 2010

GOVERNMENT
DOCUMENTS DEPT

SEP - 8 2010

SAN FRANCISCO
PUBLIC LIBRARY

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT DOCUMENTS DEPT

SEP 10 2010

SAN FRANCISCO PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, September 14, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at http://www.sfbos.org/meetings. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.
AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the Board Minutes for July 13, 2010, July 20, 2010, July 27, 2010, August 3, 2010, August 10, 2010, and Special Board of Supervisors Meetings of the Budget and Finance Committee of July 1, 2010, and July 9, 2010.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 12

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100900 **[Approval of Amendment No. 1 of Lease, Use, and Operating Agreement for BART Station and Related Facilities and Grant Easement at San Francisco International Airport, Lease No. L97-0081]**
Resolution approving and authorizing the execution of Amendment No. 1 to Lease, Use, and Operating Agreement for BART Station and Related Facilities and Grant of Easement at San Francisco International Airport, Lease No. L97-0081 to: (1) limit BART Premium Fare (surcharge) for non-airline airport employees for $1.50 each way for the remainder of the Lease; (2) remove BART Faithful Performance Deposit requirement; (3) permit monthly payment by BART of the annual rent in lieu of advance annual payment; (4) allow advertising by BART in the Airport-BART Station; and (5) include administrative updates to the Lease. (Airport Commission)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

2. 101002 [Airport Concession Lease with Host International, Inc.]
Resolution approving the Terminal 2 Newsstands, Coffee, and Specialty Stores Lease between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

3. 101004 [Lease and License of Real Property at 1 Dr. Carlton B. Goodlett Place, Ground Floor Café and North Light Court]
Resolution authorizing the lease of 1,426 square feet of space, a license of 2,400 square feet and the shared use space of 1,360 square feet to the Elias M. Nasra and Family Partnership, a California general partnership, in City Hall located at 1 Dr. Carlton B. Goodlett Place. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

4. 101109 [State Contract Funds for Substance Abuse Treatment - $60,402,780]
Sponsor: Mayor
Resolution retroactively authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (DPH-CBHS) to enter into a Combined Net Negotiated Amount and Drug Medi-Cal Agreement with the State of California Department of Alcohol and Drug Programs (DADP) for the term of July 1, 2010, through June 30, 2013, in the amount of $60,402,780 and for the term of July 1, 2010, through June 30, 2011, in the amount of $20,134,260 as a condition of receiving state funds and Drug Medi-Cal reimbursement for substance abuse treatment and prevention; holding DADP harmless from any and all claims resulting from the agreement; authorizing and designating the DPH County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

5. 100434 [Castro Street Neighborhood Commercial District - Conditional Use Requirements for Restaurants and Self-Service Specialty Food Establishments]
Sponsor: Dufty
Ordinance amending the San Francisco Planning Code by amending Section 715.1 and Sections 715.42, 715.43, 715.44, and 715.69A of the Zoning Control Table to allow new full-service and small self-service restaurants with a conditional use authorization, to permit self-service specialty food establishments as of right, and to prohibit all large fast food establishments; adopting findings, including environmental findings; amending Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

08/10/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present Supervisors Campos, Mar

6. 100954 **[Settlement of Lawsuit - Ricardo Rodriguez - $30,000]**
Ordinance authorizing settlement of the lawsuit filed by Ricardo Rodriguez against the City and County of San Francisco for $30,000; the lawsuit was filed on February 19, 2009, in San Francisco Superior Court, Case No. CGC09-485133; entitled Ricardo Rodriguez v. City and County of San Francisco, et al. (City Attorney)

08/10/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 100955 **[Settlement of Lawsuit - Stanislaus Imports - $245,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Stanislaus Imports against the City and County of San Francisco for $245,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

08/10/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 100956 **[Settlement of Lawsuit - Monte and Joanne Stott and Stott and Associates, Inc. - $32,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Monte and Joanne Stott and Stott and Associates, Inc. against the City and County of San Francisco for $32,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

08/10/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 100957 **[Settlement of Lawsuit - Yanick Constant - $32,500]**
Ordinance authorizing settlement of the lawsuit filed by Yanick Constant against the City and County of San Francisco for $32,500; the lawsuit was filed on April 21, 2008, in San Francisco Superior Court, Case No. 474485; entitled Yanick Constant v. City and County of San Francisco, et al. (City Attorney)

08/10/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 100958 [Settlement of Lawsuit - Icenogle IMR Joint Venture - $1,330,000]

Ordinance authorizing settlement of the lawsuit filed by Icenogle IMR Joint Venture against the City and County of San Francisco for $1,330,000; the lawsuit was filed on September 24, 2007, in San Francisco County Superior Court, and subsequently transferred to Alameda County Superior Court, Case No. RG08391219; entitled Icenogle IMR Joint Venture v. City and County of San Francisco, et al.; other material terms of said settlement are: (1) mutual releases except for latent defects, (2) dismissal of all complaints and cross-complaints with prejudice, (3) each side to bear its own attorneys fees and costs, and (4) plaintiff to be responsible for resolving outstanding stop notices. (City Attorney)

08/10/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 100960 [Settlement of Lawsuit - CCSF v. Underground Construction Co., et al. - City to Receive - $29,000]

Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Underground Construction Co., et al. by accepting the payment of $29,000 to the City and County of San Francisco; $23,200 from Underground Construction Co. and $5,800 from State Farm; the lawsuit was filed on February 24, 2009, in San Francisco Superior Court, Case No. CGC-09-485059; entitled City and County of San Francisco, et al., v. Underground Construction Co., et al. (City Attorney)

08/10/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 101000 [Appointment, Veteran Affairs Commission - Anthony Alfidi]

Motion appointing Anthony Alfidi, term ending January 31, 2012, to the Veterans Affairs Commission. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

*Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:*_____

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

13. 101063 **[California Constitution Appropriations Limit FY2010-2011]**
Sponsor: Avalos
Resolution establishing the appropriations limit for FY2010-2011 pursuant to California Constitution Article XIII B.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

14. 101059 **[Setting San Francisco Community College District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**
Sponsor: Avalos
Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the FY ending June 30, 2011.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 101058 **[Setting San Francisco's Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2010-2011]**
Sponsor: Avalos
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the FY ending June 30, 2011.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 101060 **[Setting San Francisco Unified School District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**
Sponsor: Avalos
Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the FY ending June 30, 2011.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 101061 **[Setting San Francisco Bay Area Rapid Transit District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**
Sponsor: Avalos
Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the FY ending June 30, 2011.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 101102 **[Accept and Expend Grant - 2010 Disaster Corps Grant and Amendment to the Annual Salary Ordinance FY2010-2011- $231,000]**
Sponsor: Mayor
Ordinance authorizing the Department of Emergency Management to retroactively accept and expend a grant in the amount of $231,000 from California Volunteers for the grant period of 18 months following passage of the FY2010-2011 California State Budget for volunteer management and training; amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of one Class 5277 Planner I at the San Francisco Fire Department.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Budget and Finance Committee Without Recommendation

Present Supervisors Avalos, Mirkarimi, Elsbernd

19. 100865 **[Establishing an Alcohol Cost Recovery Fee]**
Sponsors: Avalos; Mirkarimi, Maxwell and Mar
Ordinance amending the San Francisco Administrative Code, Chapter 106, by adding Sections 106 through 106.28, to impose a fee on alcoholic beverage wholesalers and certain other persons who distribute or sell alcoholic beverages in San Francisco to: 1) recover a portion of San Francisco's alcohol-attributable unreimbursed health costs, and; 2) fund administration costs.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present Supervisors Maxwell, Mar, Chiu

20. 100880 **[Landmark Tree Designation of Redwood Tree Located at 46 Stillings Avenue]**
Sponsor: Dufty
Ordinance designating the redwood tree (sequoia sempervirens) located at 46 Stillings Avenue (Assessor's Block No. 6734, Lot No. 023) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 101005 **[Exceptions to Seismic Safety Loan Program Requirements to Allow for a $15,000,000 Loan to Arlington Residence - 480 Ellis Street]**
Sponsors: Chu; Alioto-Pier
Ordinance approving exceptions to requirements of the Seismic Safety Loan Program pursuant to San Francisco Administrative Code Sections 66 and 66A and the Program Regulations, dated May 2006, adopted by the Board of Supervisors through Ordinance No. 122-06, to allow for a $15,000,000 Seismic Safety Loan Program loan for an existing affordable housing project at the Arlington Residence, 480 Ellis Street, San Francisco, California.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 100870 **[Establishing an Area Plan Infrastructure Finance Committee]**
Sponsor: Maxwell
Resolution establishing an Area Plan Infrastructure Finance Committee to supervise a consultant study to develop policy criteria and recommendations on the use of Infrastructure Finance Districts (IFDs) in newly adopted area plans, including within the Eastern Neighborhoods Area Plans, to determine the appropriate steps to form IFDs, and to supervise the formation of a pilot Infrastructure Finance District in Rincon Hill.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present Supervisors Campos, Mar

23. 100472 **[Access Appeals Commission - Notice to the Mayor's Office of Disability]**
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Building Code by adding Section 105A.3.10 to require that an agenda and packet of materials for each matter to be decided by the Access Appeals Commission shall be sent to the Mayor's Office of Disability at the same time and in the same manner as they are sent to the Commission members.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 091408 **[Approving Settlement of Unlitigated Claim Against the City by Comcast]**
Sponsor: Mirkarimi
Resolution approving settlement of an unlitigated claim made by Comcast Cable Communications, LLC, against the City and County of San Francisco.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 2:30 P.M.

(Note: Special Order start time changed pursuant to File No. 101069, approved August 10, 2010, and communication by Clerk of the Board on September 7, 2010.)

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

25. 101027 [Public Hearing - Appeal of Final Environmental Impact Report for 935-965 Market Street (aka CityPlace)]

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 8, 2010, Certification of a Final Environmental Impact Report identified as Planning Case No. 2005.1074E, through its Motion No. 18135, for a proposed retail shopping center (aka CityPlace) to demolish three existing mixed-use commercial and office buildings and construct a new five-story, approximately 90-foot tall building, containing approximately 375,700 gross square feet and approximately 188 off-street parking spaces in a two-story underground garage, with three levels below grade, one for retail use and the other two for parking, at 935-965 Market Street, between Fifth and Sixth Streets within the C-3-G (Downtown General Commercial) and C-3-G (Downtown Retail) Zoning Districts and a 120-X Height and Bulk District, Lot Nos. 071, 072, and 073, in Assessor's Block No. 3704. (District 6) (Appellant: Arthur D. Levy on behalf of Livable City and Walk San Francisco.)

(Filed July 28, 2010; Companion to File Nos. 101028, 101029, 101030.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

26. 101028 [Affirming the Certification of the 935-965 Market Street Project Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 935-965 Market Street Project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

27. 101029 **[Reversing the Certification of the 935-965 Market Street Project Final Environmental Impact Report]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 935-965 Market Street Project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

28. 101030 **[Preparation of Findings to Reverse Certification of the 935-965 Market Street Project Final Environmental Impact Report]**
Motion directing the Clerk of the Board to prepare findings reversing the certification of the Final Environmental Impact Report for the 935-965 Market Street Project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 2:30 P.M.

29. 101041 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 10 Bernal Heights Boulevard]**
Hearing of persons interested in or objecting to the decision of the Planning Commission's July 1, 2010, Determination of Exemption from Environmental Review identified as Planning Case No. 2010.0306C, by its Motion No. 18131, which included the exemption determination, that a project located at 10 Bernal Heights Boulevard is exempt from environmental review under California Environmental Quality Act (CEQA) Guidelines Sections 15301 Class (1), 15303 (Class 3), and 15311 (Class 11), to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park within an RH-1(D) (Residential, House, Single-Family, Detached) Zoning District and a 40-X Height and Bulk District, on property located at 10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548. (District 9) (Appellant: Erick Arguello on behalf of the Lower 24th Street Merchant Association.)

(Filed August 2, 2010; Companion Measure to File Nos. 101042, 101043, 101044.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

30. 101042 **[Affirming the Exemption Determination for 10 Bernal Heights Boulevard]**
Motion affirming the determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

31. 101043 [Reversing the Exemption Determination Issued for 10 Bernal Heights Boulevard]
Motion reversing the determination by the Planning Commission that the 10 Bernal Heights Boulevard project is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

32. 101044 [Preparation of Findings to Reverse the Exemption Determination for the 10 Bernal Heights Boulevard Project]
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 2:30 P.M.

33. 101045 [Public Hearing - Conditional Use Appeal for 10 Bernal Heights Boulevard]
Hearing of persons interested in or objecting to the decision of the Planning Commission's July 1, 2010, Conditional Use Permit identified as Planning Case No. 2010.0306C, by its Motion No. 18131, under Planning Code Sections 209.6(b) and 303, to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park and to modify the Conditional Use approval under Case No. 2008.1157C to change the number of allowed antennas on the site within the RH-1(D) (Residential, House, Single-Family, Detached) Zoning District, and a 40-X Height and Bulk District, on property located at 10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548. (District 9) (Filed by Erick Arguello on behalf of the Lower 24th Street Merchant Association, and subscribed by Supervisors Campos, Mar, Chiu, Chu, Mirkarimi, and Avalos.)

(Filed August 2, 2010; Companion Measure to File Nos. 101046, 101047, 101048.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

34. 101046 [Approving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]
Motion approving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

35. 101047 **[Disapproving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]**
Motion disapproving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

36. 101048 **[Preparation of Findings Related to the Conditional Use Appeal for 10 Bernal Heights Boulevard]**
Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Application No. 2010.0306C on property located at 10 Bernal Heights Boulevard. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 2:30 P.M.

37. 101087 **[Public Hearing - Conditional Use Appeal for 3150 California Street]**
Hearing of persons interested in or objecting to the decision of the Planning Commission's July 8, 2010, Conditional Use Permit identified as Planning Case No. 2010.0357C, by its Motion No. 18139, under Planning Code Sections 303 and 703.3 to allow a Formula Retail Use (dba Pet Food Express) in an NC-2 (Neighborhood Commercial, Small Scale) District and a 40-X Height and Bulk District, on property located at 3150 California Street, Lot No. 013, in Assessor's Block No. 1022. (District 2) (Filed by Susan Landry on behalf of The Animal Connection II, and subscribed by Supervisors Mar, Maxwell, Avalos, Campos, and Chiu)

(Filed August 6, 2010; Companion Measure to File Nos. 101088, 101089 and 101090)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

38. 101088 **[Approving Planning Commission Decision Related to Conditional Use Appeal for 3150 California Street]**
Motion approving the decision of the Planning Commission, by its Motion No. 18139, approving Conditional Use Application 2010.0357C on property located at 3150 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

39. 101089 **[Disapproving Planning Commission Decision Related to Conditional Use Appeal for 3150 California Street]**
Motion disapproving the decision of the Planning Commission, by its Motion No. 18139, approving Conditional Use Application 2010.0357C on property located at 3150 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

40. 101090 **[Preparation of Findings Related to the Conditional Use Appeal for 3150 California Street]**
Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Application No. 2010.0357C on property located at 3150 California Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 41 through 53

41. 101111 **[Application for Grant - Augmenting the Greening and Storm Water Features of the Cesar Chavez Street Redesign Project]**
Sponsor: Campos
Resolution authorizing the San Francisco Planning Department to apply for a grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to augment the greening and storm water features of the Cesar Chavez Street Redesign Project.

08/10/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 101112 **[Accept and Expend Grant - Web Based Recycling, Reuse, and Disposal Options - $25,000]**
Sponsor: Mayor
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $25,000 from the County of Alameda to serve as the lead in the creation a web-based application that enables the public to easily find accurate information about nearby recycling, reuse, and disposal options.

08/10/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 101113 **[Application for Grant - Construction of HillPoint Park Open Space Project]**
Sponsors: Mayor; Maxwell
Resolution approving the application for grant funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River, and Coastal Protection Bond Act of 2006 (Proposition 84) for construction of the HillPoint Park Open Space Project.

08/10/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 101114 **[Application for Grant - Strategic Growth Council Sustainable Communities - Greenway Network Plan]**
Sponsor: Mayor
Resolution authorizing the San Francisco Planning Department to apply for a planning grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River, and Coastal Protection Bond Act of 2006 (Proposition 84) to complete a Greenway Network Plan.

08/10/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 101117 **[Commending London N. Breed]**
Sponsor: Mirkarimi
Resolution commending and expressing appreciation to London N. Breed for her services upon the occasion of her departure from her position as Commissioner of the Redevelopment Agency of the City and County of San Francisco.

09/08/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 101118 **[Initiative Constitutional Amendment - Opposing Proposition 26, Which "Requires that Certain State and Local Fees be Approved by Two-Thirds Vote."]**
Sponsor: Mirkarimi
Resolution opposing Proposition 26, Initiative Constitutional Amendment, which "Requires That Certain State and Local Fees Be Approved by Two-Thirds Vote. Fees Include Those That Address Adverse Impacts on Society or the Environment Caused by the Fee-Payer's Business."

09/08/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 101119 **[Urging the United States Department of State to Condemn the Government of Iran for Sentencing Sakineh Mohammadi Ashtiani to Death by Stoning]**
Sponsor: Mirkarimi
Resolution urging the United States Department of State to condemn the Government of Iran under Supreme Leader Ayatollah Ali Khamenei for sentencing Sakineh Mohammadi Ashtiani to death by stoning for the crime of "adultery while being married."

09/08/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 101123 **[Proclaiming September 14, 2010, as Reese Erlich Day]**
Sponsors: Mar; Mirkarimi
Resolution honoring Reese Erlich and proclaiming September 14, 2010, to be "Reese Erlich Day."

09/07/2010, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 101035 **[Supporting the Litigation Challenging the Constitutionality of the Federal "Don't Ask, Don't Tell" Policy]**
Sponsors: Dufty; Campos
Resolution supporting the litigation Log Cabin Republicans v. United States of America currently on trial before U.S. District Court for the Central District of California (Riverside), with Judge Virginia A. Phillips in Riverside presiding, challenging the constitutionality of the federal "Don't Ask, Don't Tell" Policy.

09/08/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 101038 **[Celebration of the Mexican Bicentennial and Centennial Celebrations]**
Sponsor: Campos
Resolution celebrating the birth and independence of Mexico, honoring the relationship between San Francisco and Mexico, and appreciating the contributions that San Franciscans of Mexican descent make to the culture and prosperity of the city as well as struggles for justice and equality.

09/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

51. 101039 **[Commending San Francisco Crisis Care on the Occasion of its Ray of Hope Charity Gala Reception 2010]**
Sponsor: Alioto-Pier
Resolution commending San Francisco Crisis Care on the occasion of its Ray of Hope Charity Gala Reception 2010 benefitting the people of San Francisco.

09/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. 101040 **[Declaring September 28, 2010, as Dr. Marguerite Rubenstein Day]**
Sponsor: Dufty
Resolution declaring September 28, 2010, as Dr. Marguerite Rubenstein Day in San Francisco to recognize her commitment to health education and her lifelong service to San Francisco.

09/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 101130 [Final Map 5045 - 575 Sutter Street]

Motion approving Final Map 5045, a 14 Commercial Unit Condominium Project, located at 535 Sutter Street being a subdivision of Lot No. 013 in Assessors Block No. 0296 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

09/03/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

54. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from August 3, 2010, to September 3, 2010, for reference by President to appropriate committee on September 14, 2010.

100697 [General Plan Amendments - Updating the Noise Maps of the Environmental Protection Element]

Ordinance amending the San Francisco General Plan by amending the Noise Maps of the Environmental Protection Element to reflect current conditions; making conforming text amendments; and making findings, including findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and environmental findings. (Planning Department)

08/11/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

100829 **[Planning Code - Car-Share Controls]**

Ordinance amending the San Francisco Planning Code, including Section 151.1 to enable the Planning Commission to require the provision of annual memberships to certified car-share organizations to residents of certain new development projects when certain findings are made; Section 163 to promote car-share services as a component of transportation management programs and transportation brokerage services; and Section 166 to permit car-share spaces in the same manner as residential accessory parking and require that car-sharing requirements for non-residential uses apply to all zoning districts; adopting findings, including findings under Section 302 of the Planning Code, environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

08/24/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

100878 **[San Francisco Fire Code - Repealing and Replacing]**

Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2010 San Francisco Fire Code consisting of the 2010 California Fire Code and portions of the 2009 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

08/27/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

100910 **[Settlement of Lawsuit - California Department of Fair Employment and Housing (Zimmerman) - $105,000]**

Ordinance authorizing settlement of the lawsuit filed by the California Department of Fair Employment and Housing (Plaintiff), Linda Zimmerman (Real Party In Interest) against the City and County of San Francisco for $105,000, the lawsuit was filed on March 4, 2009, in San Francisco Superior Court, Case No. CGC-09-485723; entitled Department of Fair Employment and Housing (Zimmerman) v. City and County of San Francisco. (City Attorney)

08/04/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100911 **[Settlement of Lawsuit - Michael Lew - $90,000]**

Ordinance authorizing settlement of the lawsuit filed by Michael Lew against the City and County of San Francisco for $90,000, including reemployment and restoration of vacation and sick leave; the lawsuit was filed on May 11, 2009, in San Francisco Superior Court, Case No. CGC-09-488262; entitled Michael Lew v. City and County of San Francisco, et al. (City Attorney)

08/04/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100946 **[Building Code - Repealing and Replacing]**

Ordinance repealing the 2007 San Francisco Building Code in its entirety and replacing that Code with a new 2010 San Francisco Building Code that consists of the 2010 California Building Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

08/26/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

100950 **[San Francisco Building Code - Residential Building - Repealing and Replacing]**

Ordinance incorporating the provisions of the 2010 California Residential Code into various chapters of the San Francisco Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the San Francisco Building Code; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

08/26/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

100952 **[San Francisco Electrical Code - Repealing and Replacing]**

Ordinance repealing the 2007 San Francisco Electrical Code in its entirety and replacing that code with a new 2010 San Francisco Electrical Code that consists of the 2010 California Electrical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

08/26/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

101126 **[San Francisco Mechanical Code - Repealing and Replacing]**

Ordinance repealing the 2007 San Francisco Mechanical Code in its entirety and replacing that code with a new 2010 San Francisco Mechanical Code that consists of the 2010 California Mechanical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

08/26/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

101127 **[San Francisco Plumbing Code - Repealing and Replacing]**

Ordinance repealing the 2007 San Francisco Plumbing Code in its entirety and replacing that code with a new 2010 San Francisco Plumbing Code that consists of the 2010 California Plumbing Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

08/26/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

101128 **[San Francisco Building Code - Green Building - Repealing and Replacing]**
Ordinance repealing Chapter 13C of the San Francisco Building Code in its entirety and enacting a new Chapter 13C that consists of the 2010 California Green Building Standards Code with local amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and Public Resources Code Section 25402.1(h)(2),"and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

08/26/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

100992 **[General Plan Amendment - Portion of 222 - 2nd Street]**
Ordinance amending the General Plan of the City and County of San Francisco by amending Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan to change the height and bulk classification of the west corner (within a rectangular area measuring 45 feet in length along the westernmost portion of the Howard Street frontage, to a depth of 82.5 feet) of the property located at 222 - 2nd Street (Assessor's Block No. 3735, Lot No. 063) from 150-S to 350-S and adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

09/01/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

100993 **[Zoning Map Amendment - Portion of 222 - 2nd Street]**
Ordinance amending the Zoning Map of the City and County of San Francisco by amending Zoning Map 1HT to change the height and bulk district classification of the west corner (within a rectangular area measuring 45 feet in length along the westernmost portion of the Howard Street frontage, to a depth of 82.5 feet) of the property located at 222 - 2nd Street (Assessor's Block No. 3735, Lot No. 063) from 150-S to 350-S and adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (City Attorney)

09/01/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from August 3, 2010, to September 3, 2010, for reference by President to appropriate committee on September 14, 2010.

100526 **[Gift Acceptance - Fire Department - Five Commercial Washer-Extractors - $44,000]**
Resolution authorizing the San Francisco Fire Department to accept a gift from the San Francisco Firefighters' Cancer Prevention Foundation of five commercial washer-extractors valued at approximately $44,000 to clean personal protective equipment. (Fire Department)

08/18/2010; RECEIVED AND ASSIGNED to the City Operations and Neighborhood Services Committee.

100877 **[Board Response to the 2009-2010 Civil Grand Jury Report Entitled "Sharing the Roadway: From Confrontation to Conversation"]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2009-2010 Civil Grand Jury Report entitled "Sharing the Roadway: From Confrontation to Conversation" and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget. (Clerk of the Board)

08/26/2010; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

100894 **[Increasing Contract with Xtech to $41,000,000]**
Resolution authorizing the Office of Contract Administration to enter in the First Amendment between the City and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract amount from $24,000,000 to $41,000,000 and update certain standard contractual clauses. (Office of Contract Administration)

08/09/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100912 **[Settlement of Lawsuit - Robin Leiter Cohen - $31,000]**
Resolution approving the settlement of the unlitigated claim filed by Robin Leiter Cohen against the City and County of San Francisco for $31,000; claim was filed on September 4, 2009. (City Attorney)

08/04/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100983 **[Approve Modification of Lease with Japan Airlines]**
Resolution approving and authorizing the execution of Modification No. 1 to Lease No. L01-0297 with Japan Airlines Company Limited to reduce the demised premises and the annual rent at Building 944 on Plot 50B-1 at San Francisco International Airport. (Airport Commission)

08/26/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100984 **[Memorandum of Agreement with the National Park Service - Not to Exceed $30,000,000]**
Resolution approving the Memorandum of Agreement with the National Park Service for the Comprehensive Management of Yosemite National Park Watersheds that supply water to the San Francisco Regional Water System pursuant to Charter Section 9.118. (Public Utilities Commission)

08/27/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100985 **[Settlement of Anticipated Litigation - Bonneville Non-Exclusive Easement]**
Resolution authorizing settlement of anticipated litigation to be filed by Bonneville International Corporation against the City and County of San Francisco for a non-exclusive easement on Bayview Hill for access to the radio tower owned by Bonneville. (City Attorney)

09/03/2010; RECEIVED AND ASSIGNED to the Rules Committee.

101036 **[Contract with the State of California Office of Administrative Hearings to Provide Administrative Law Judges to Serve as Hearing Officers on Administrative Appeals]**

Resolution authorizing the Department of Emergency Management to enter into a contract with the State of California Office of Administrative Hearings to provide administrative law judges to serve as hearing officers on administrative appeals from certification actions by the San Francisco Emergency Medical Services Agency. (Department of Emergency Management)

09/03/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101129 **[Petitions and Communications]**
Petitions and Communications received from August 3, 2010, through September 3, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 14, 2010.

From Department of Human Resources, submitting request for waiver of Administrative Code Chapter 12B for South San Francisco Conference Center Martinez. (1)

From concerned citizens, submitting opposition to placing a bocce ball court in Justin Herman Plaza. File No.101070, 5 letters (2)

From California Public Utilities Commission, submitting notice of application filed by PG&E asking for authority to recover costs associated with Assembly Bill 32 Cost of Implementation Fee. (3)

From Aaron Goodman, urging the Board of Supervisors to place proposed legislation regarding the sewer line relocation agreement with S.F. State University under the 30 Day Rule. File No. 101015, Copy: Land Use Committee Members, 2 letters (4)

From T Mobile, submitting notification of three cellular antennas to be installed at 1 McCoppin Street. (5)

From Office of the Mayor, submitting the nomination of Rosario Anaya for appointment to the Redevelopment Agency Commission. Copy: Each Supervisor, City Attorney, Rules Committee Clerk (6)

From Office of the Mayor, submitting the reappointment of Gwen Borden to the Planning Commission. Copy: Each Supervisor, City Attorney, Rules Committee Clerk (7)

From concerned citizens, submitting opposition to expanding parking meter hours/and or Sunday metering. 5 letters (8)

From Joseph Kautz, regarding his parking ticket. (9)

From the Office of the Treasurer and Tax Collector, submitting their investment report for the month of June 2010. Copy: Each Supervisor (10)

From Department of Elections, submitting a revised notice of the deadline to submit disclaimer requirements for local ballot measures is Thursday, August 12, 2010 at 5:00 PM. Copy: Each Supervisor (11)

From the Clerk of the Board, submitting Form 700 Statement of Economic Interest for Leslie Hilger, Legislative Aide, Assuming (12)

From concerned citizen, submitting opposition to ban on plastic bags. (13)

From Airport, submitting the Capital Improvement Project Expenditures Report for the two-year period beginning July 1, 2008, and ending June 30, 2010. Copy: Each Supervisor (14)

From Real Estate Division, submitting request for waiver of Administrative Code Chapters 12B and 14B for the Chicago Title Company. (15)

From Department of Elections, submitting copy of letter sent to the proponent of petition regarding employee contributions to the retirement and health plans initiative, that the petition did have sufficient valid signatures to qualify for the November 2, 2010, Consolidated General Election to be held in the City and County of San Francisco. Copy: Each Supervisor (16)

From Alvin Johnson, commenting on public employee pensions in California. (17)

From Webster Bones, submitting support for saving Sacred Heart Church. (18)

From concerned citizen, submitting support for the sit/lie law. (19)

From Department Public Works, regarding status of repairing potholes in District 5. (20)

From T Mobile, submitting notification of two cellular antennas to be installed at 5 The Embarcadero. (21)

From Planning Department, confirming that the funding provided in the budget for FY2010-2011 as adopted by the Board of Supervisors is adequate for their department to meet service levels as proposed to the Board, with the caveat that the current reserve of $1.1 million on the Department's General Fund is released. (22)

From various City Departments, confirming that the funding provided in the budget for FY2010-2011 as adopted by the Board of Supervisors is adequate for their department to meet service levels as proposed to the Board. (23)
Adult Probation Department
Airport
Arts Commission
Asian Art Museum
Assessor-Recorder
Board of Appeals
Building Inspection
California Academy of Sciences
Office of Citizen Complaints
Office of Clerk of the Board
Office of Economic Workforce
Chief Medical Examiner
Department of Child Support Services
Department of Children, Youth & Their Families
Department of the Environment
Civil Service Commission
Office of the City Administrator
Office of the City Attorney
Office of the Controller
Office of the District Attorney
Department of Elections
Department of Emergency Management
Employees' Retirement System
Ethics Commission
Children and Families Commission
Fine Arts Museums of San Francisco
Fire Department
Health Service System
Department of Public Health
Department of Human Resources
Human Rights Commission
Juvenile Probation Department
Law Library
Office of the Mayor
Mayor's Office of Housing
Human Services Agency
Municipal Transportation Agency
Port
Office of the Public Defender
Public Library

Public Utilities Commission
Public Works
Recreation and Parks Department
Residential Rent Stabilization and Arbitration Board
Department on the Status of Women
Department of Technology
Office of the Treasurer and Tax Collector
War Memorial and Performing Arts Center

From Clerk of the Board, the following departments have submitted their 2010 Local Agency Biennial Notices: (24)
Department of Aging and Adult Services
Asian Art Museum
Children and Their Families Commission
Department of Children, Youth and Their Families
Department of Human Services
Office of City Administrator/General Services Agency
Office of Economic and Workforce Investment
Civil Grand Jury
Employees' Retirement System
Department of Emergency Management
Fire Department
Municipal Transportation Agency
Planning Department
Port
Department of Public Health
Public Utilities Commission
Recreation and Parks Department
Retire Health Care Trust Fund Board
Sheriff's Department
Small Business Commission
Treasure Island Development Authority Board

From Office of the Controller, submitting an audit report of fixed rent agreements with rents exceeding $100,000 administered by the Public Utilities Commission. Copy: Each Supervisor (25)

From concerned citizens, submitting support for proposed legislation concerning the alcohol mitigation fee. File No. 100865, Copy: Each Supervisor, 2 letters (26)

From concerned citizens, submitting opposition to proposed legislation concerning the alcohol mitigation fee. File No. 100865, Coy: Each Supervisor, Approximately 250 letters and postcards (27)

From Office of the Mayor, submitting the nomination of Harry Kim, Steven Jin Lee, Allen Okamoto and Natividad M. Ramirez to the San Francisco Relocation Appeals Board. Copy: Each Supervisor, Rules Committee Clerk, City Attorney (28)

From Civil Service Commission, submitting survey of monthly rates paid to police and firefighters in all cities of 350,000 or more in the State of California. Copy: Each Supervisor (29)

From Michael Hutchinson, submitting opposition to proposed location of a new Target Store in San Francisco. Copy: Supervisors Chiu, Alioto-Pier, Mirkarimi (30)

From Office of the Controller, submitting report concerning the compliance audit of Air Canada, covering the period from July 1, 2007, through June 30, 2009. (31)

From Jacqueline Choy, regarding the Golden Gate Park Senior Center. Copy: Supervisor Chiu (32)

From California Public Utilities Commission, submitting notice that PG&E filed its default residential rate design application that includes a proposal for residential electric pricing called dynamic pricing, and a request for recovery of implementation costs. (33)

From Patricia Forsdyke, submitting support for passage of Laura's Law. (34)

From Patrick Monette-Shaw, regarding St. Luke's Hospital. (35)

From Arthur Evans, submitting support for passage of Proposition L that amends the San Francisco Police Code by adding Section 168 to promote civil sidewalks. 2 letters (36)

From Carleton Hoffman, regarding illegally parked cars not being cited by some police and parking control officers. (37)

From S.F. Convention and Visitors Bureau, announcing that San Francisco will be the featured destination in the November 2010, issue of Southwest Spirit Magazine, the in-flight magazine of Southwest Airlines. (38)

From Patrick Monette-Shaw, regarding San Francisco General Hospital. 2 letters (39)

From Vicki Tiernan, submitting support for proposed measure to ban the use of toys as incentives with foods containing an excess of fat, sugar, or salt. File No. 101096 (40)

From Tim Giangiobbe, commenting that the Bank of America ATMs have better security than other banks. (41)

From Tim Giangiobbe, submitting support for bringing "Americas Cup" to the bay area. (42)

From Bayer Health Care Pharmaceuticals, submitting the Milliman Report regarding the cost of contraceptive coverage and pregnancy care. (43)

From Department of Human Resources, submitting request for waiver of Administrative Code Chapter 12B for Holiday Inn Golden Gateway. (44)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from Thursday, August 19, 2010, until Sunday, August 22, 2010. Supervisor Elsbernd will serve as Acting Mayor. Copy: Each Supervisor, City Attorney (45)

From Stephen Cohen, submitting support for preserving Sharp Park Golf Course. (46)

From Department of Public Health, submitting the Hazardous Materials Spill Report. (47)

From Jared Roussel, thanking the Board of Supervisors for all their hard work. (48)

From Municipal Transportation Agency, submitting parking meter revenue for FY2005-2006 through FY2009-2010. Copy: Each Supervisor, Budget and Finance Committee Clerk (49)

From Carlo Middione, submitting support for passage of Laura's Law. (50)

From Bob Larive, commenting on the "street people" that hang out in the Fisherman's Wharf and North Beach areas day and night. (51)

From Richard Skaff, regarding the modified and accessible bar section of Nopa Restaurant. (52)

From Arthur Evans, regarding the Rose Garden that was vandalized in Golden Gate Park. (53)

From Charles Long, submitting opposition to proposed Charter Amendment concerning Non-Citizen Voting in School Board Elections. File No. 100635 (54)

From Yvette Tee, regarding the Recreation and Parks Department. Copy: Each Supervisor (55)

From California Public Utilities Commission, submitting notice of application filed by PG&E to recover the pumped storage study costs. (56)

From Department of the Environment, regarding Charter Section 4.104, rules and regulations for cell phone retailer's duty to disclose specific absorption rate values ordinance. Copy: Each Supervisor (57)

From Department of Public Works, submitting report concerning the use of funds appropriated from the Local Street and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006 by the Department of Public Works. Copy: Each Supervisor (58)

From Office of the Controller, submitting an assessment report on Laguna Honda Hospital and Rehabilitation Center's model of care. (59)

From Nancy Federice, submitting opposition to renaming Third Street Willie Brown Jr. Boulevard. (60)

From T-Mobile, submitting notification of two cellular antennas to be installed at 631 O'Farrell Street. (61)

From T-Mobile, submitting notification of eight cellular antennas to be installed at 890 Jackson Street. (62)

From T-Mobile, submitting notification of two cellular antennas to be installed at Avenue D and 10th Street. (63)

From T-Mobile, submitting notification of six cellular antennas to be installed at 100 Armory Road. (64)

From T-Mobile, submitting notification of eight cellular antennas to be installed at 1844 Irving Street. (65)

From concerned citizens, submitting support for construction of the proposed St. Luke's Campus at Van Ness and Geary. 2 letters (66)

From Police Department, confirming that the funding provided in the budget for FY2010-2011 as adopted by the Board of Supervisors is adequate for their department to meet service levels as proposed to the Board based on a series of assumptions which include, but are not limited to, the following: (67)

- That the $23,283,979 of salary and fringe funding currently on Controller's Reserve is released;
- That the $8,158,920 of salary and fringe funding currently on Budget and Finance Committee Reserve is released;
- That there are no significant increase in service deployment, which are directly related to increases in serious criminal activity, natural disasters or elevated homeland security threat levels; and
- That any legislative mandates related to re-deployment of Police Department resources include the appropriation of additional funds to address these mandates.

From Office of the Sheriff, confirming that the funding provided in the budget for FY2010-2011 as adopted by the Board of Supervisors is adequate for their department to meet service levels as proposed to the Board with four exceptions: (68)

An increase in jail population due to reductions to the State Department of Corrections' budget as a result of changes in sentencing and parole policies as well as increased local bookings and other factors.

The possible reduction in court funding for security services due to court closures if included in the State budget;

The possible reduction of two State grants, Standards and Training for Corrections grant and Peace Officers Standards and Training grant;

The possible inability to achieve projected debt service savings.

From Superior Court of California, County of San Francisco, confirming that the funding provided in the budget for FY2010-2011 as adopted by the Board of Supervisors is not adequate for their department to meet service levels as proposed to the Board. (69)

From Department of Human Services, submitting request for waiver of Administrative Code Chapter 12B for Target Department Store. (70)

From Department of Human Services, submitting request for waiver of Administrative Code Chapter 12B for Safeway, Inc. (71)

From concerned citizens, submitting opposition to the decision of the Planning Commission by its Motion No. 18139, approving Conditional Use Application 2010.0357C for Pet Food Express located at 3150 California Street. File No. 101087, Copy: Each Supervisors, 10 letters (72)

From Robert Lee, regarding San Francisco Firefighters. (73)

From Dean Shephanos, submitting opposition to expanding parking meter hours/and or Sunday metering. (74)

From William Stephens, Project Manager, Clearwire, submitting request for continuance of the Conditional Use Appeal for 10 Bernal Heights Boulevard. File No. 101045, Copy: Each Supervisor, City Attorney (75)

From Michael Shaw, regarding the activity around Golden Gate Park and surrounding areas. Copy: Supervisors Mar, Chu, Mirkarimi (76)

From Office of the Controller, submitting report analyzing the function of the Patrol Specials, including the future and the regulation of the program. (77)

From Office of the Controller, submitting the annual work plan for the City Services Auditor Division. (78)

From Small Business Commission, submitting opposition to establishing an alcohol mitigation fee. File No. 100865 (79)

From Department of Public Works, submitting their quarterly report of Adopt-A-Tree account for the period April 1, 2010, through June 30, 2010. (80)

From Alison Schlageter, submitting the San Francisco Rental Subsidy Program for Families Report for the period January through June 2010. (81)

From Aaron Goodman, regarding remodeling branch libraries. 2 letters (82)

From U.S. Department of Justice, regarding the investigation of Jorge Steven Lopez Mercado. (Reference No. 20091117-001) Copy: Supervisor Dufty, Supervisor Campos (83)

From Office of the Mayor, submitting the appointment of Todd Mavis, member, Human Rights Commission, term ending September 2, 2012, and Jordan Shlain, member, Health Service System Board, term ending May 15, 2015. (84)

From Office of the Controller, submitting the Departmental Budget Certification for FY2010-2011. Copy: Each Supervisor, Budget and Finance Committee Clerk (85)

From Office of the City Administrator, submitting a revised Conflict of Interest form. (86)

ADJOURNMENT

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
DOCUMENTS DEPT
SEP 17 2010
SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, September 21, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at http://www.sfbos.org/meetings. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the Board Meeting on the third Tuesday of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 12

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. **101058** **[Setting San Francisco's Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2010-2011]**
Sponsor: Avalos
Ordinance providing revenue and levying property taxes for City and County purposes and establishing a pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the FY ending June 30, 2011.

(Fiscal Impact)

09/14/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. **101059** **[Setting San Francisco Community College District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**
Sponsor: Avalos
Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the FY ending June 30, 2011.

(Fiscal Impact)

09/14/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. **101060** **[Setting San Francisco Unified School District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**
Sponsor: Avalos
Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the FY ending June 30, 2011.

(Fiscal Impact)

09/14/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. **101061** **[Setting San Francisco Bay Area Rapid Transit District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**
Sponsor: Avalos
Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the FY ending June 30, 2011.

(Fiscal Impact)

09/14/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 101102 **[Accept and Expend Grant - 2010 Disaster Corps Grant and Amendment to the Annual Salary Ordinance FY2010-2011 - $231,000]**
Sponsor: Mayor
Ordinance authorizing the Department of Emergency Management to retroactively accept and expend a grant in the amount of $231,000 from California Volunteers for the grant period of 18 months following passage of the FY2010-2011 California State Budget for volunteer management and training; amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of one Class 5277 Planner I at the San Francisco Fire Department.

09/14/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

6. 100294 **[Liquor License Transfer - 715 Market Street]**
Resolution determining that the transfer of a Type 21 off-sale general license from 50-3rd Street to 715 Market Street (District 6) to Zain H. Azzghayer for Zain's Fine Wine & Spirits will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

7. 100685 **[Liquor License - 450-460 Powell Street]**
Resolution determining that the issuance of a Type 21 off-sale general license to Dean Zain Azzghayer for Dean's, located at 450-460 Powell Street (District 3), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

8. 100834 **[Liquor License Transfer - 101-6th Street]**
Resolution determining that the premise to premise transfer of a Type 48 on-sale general public premises liquor license from 101-6th Street to expansion of public occupancy into basement storage at 101-6th Street (District 6), to Mark E. Rennie for Playbar, Inc., dba The Room, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

9. 100915 [Liquor License Transfer - 1530 Haight Street]
Resolution determining that the transfer of a Type 20 off-sale beer and wine liquor license from 2 Harrison Street to 1530 Haight Street (District 5) to Bobby Vardakastanis for Haight Street Market, Inc., dba Haight Street Market, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

10. 100916 [Liquor License Transfer - 447 Battery Street]
Resolution determining that the transfer of a Type 42 on-sale beer and wine public premises liquor license from 620 Post Street to 447 Battery Street (District 3) to Alberto De Almeida, Jr., for Magellan Wine, LLC, dba The Hidden Vine Wine Bar, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

11. 100880 [Landmark Tree Designation of Redwood Tree Located at 46 Stillings Avenue]
Sponsors: Dufty; Daly
Ordinance designating the redwood tree (sequoia sempervirens) located at 46 Stillings Avenue (Assessor's Block No. 6734, Lot No. 023) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

09/14/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 101005 [Exceptions to Seismic Safety Loan Program Requirements to Allow for a $15,000,000 Loan to Arlington Residence - 480 Ellis Street]
Sponsors: Chu; Alioto-Pier
Ordinance approving exceptions to requirements of the Seismic Safety Loan Program pursuant to San Francisco Administrative Code Sections 66 and 66A and the Program Regulations, dated May 2006, adopted by the Board of Supervisors through Ordinance No. 122-06, to allow for a $15,000,000 Seismic Safety Loan Program loan for an existing affordable housing project at the Arlington Residence, 480 Ellis Street, San Francisco, California.

09/14/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

*Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

13. 101004 **[Lease and License of Real Property at 1 Dr. Carlton B. Goodlett Place, Ground Floor Café and North Light Court]**
Resolution authorizing the lease of 1,426 square feet of space, a license of 2,400 square feet and the shared use space of 1,360 square feet to the Elias M. Nasra and Family Partnership, a California general partnership, in City Hall located at 1 Dr. Carlton B. Goodlett Place. (Real Estate Department)

09/14/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Avalos, Mirkarimi, Elsbernd

14. 100865 **[Establishing an Alcohol Cost Recovery Fee]**
Sponsors: Avalos; Mirkarimi, Maxwell, Mar, Daly and Campos
Ordinance amending the San Francisco Administrative Code, Chapter 106, by adding Sections 106 through 106.28, to impose a fee on alcoholic beverage wholesalers and certain other persons who distribute or sell alcoholic beverages in San Francisco to: 1) recover a portion of San Francisco's alcohol-attributable unreimbursed health costs, and; 2) fund administration costs.

09/14/2010; AMENDED.

09/14/2010; AMENDED.

09/14/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Elsbernd

15. 101051 [Approval to Implement Alternative Bid Process for Construction Trade Packages for the Renovation and Construction of the George S. Moscone Convention Center]

Ordinance authorizing the San Francisco Department of Public Works to implement an alternative bid process for construction trade packages and to award contracts for construction services, for the renovation of and capital improvements to the Moscone Convention Center. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 101140 [Cigarette Litter Abatement Fee - Timing and Standards for Controller's Review and Adjustment]

Sponsor: Mayor

Ordinance amending Section 105.3 of the San Francisco Administrative Code to change the timelines and standards under which the Controller is directed to review and adjust the Cigarette Litter Abatement Fee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Avalos, Elsbernd, Maxwell

17. 101107 [Management Agreement for the Harding Park Golf Course]

Sponsor: Elsbernd

Resolution authorizing the Recreation and Park Department General Manager to enter into an agreement with Tournament Players Club of California, Inc., for management of clubhouse and golf operations at the Harding Park and Fleming Golf Courses, excluding course maintenance operations (Management Agreement), from October 1, 2010, to December 31, 2019, pursuant to San Francisco Charter Section 9.118, with the right to extend the term to coincide with any extension of the Master Tournament Agreement between the City and County of San Francisco and PGA Tour, Inc.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

18. 100922 **[Authorizing the Department of Public Health to Enter Into Contracts for Out-of-County Behavioral Health Services in the Foster Care System]**
Sponsor: Mayor
Ordinance amending the San Francisco Administrative Code by amending Section 21.42 to authorize the Department of Public Health to contract for behavioral health services to children in the foster care system under the jurisdiction of the City and County of San Francisco and located outside of San Francisco, utilizing contracting language and forms mandated by the State of California under California Welfare and Institutions Code Section 5777.7.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

19. 100851 **[Planning Code - Rehabilitation and Maintenance of Transfer Lots After Sale of Transferable Development Rights; Zoning Map and General Plan Map Amendments - 680 California Street (Old St. Mary's Cathedral)]**
Sponsors: Chiu; Maxwell
Ordinance amending Section 128 of the San Francisco Planning Code to require that proceeds from the sale of Transferable Development Rights (TDR) be spent on rehabilitation and maintenance of the Transfer Lot property, to establish reporting procedures regarding the rehabilitation and maintenance, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block No. 0241, Lot Nos. 011 and 012, from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 101056 **[Banning the Sale of Tobacco Products in Pharmacies]**
Sponsors: Mar; Dufty and Maxwell
Ordinance amending the San Francisco Health Code by amending Sections 1009.91 and 1009.92, by repealing Section 1009.93, and by re-numbering Sections 1009.94, 1009.95, 1009.96, 1009.97, 1009.98, and 1009.99, as Sections 1009.93, 1009.94, 1009.95, 1009.96, 1009.97, and 1009.98, respectively, all to eliminate the exemptions for general grocery stores and big box stores from the general ban on the sale of tobacco products in pharmacies.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 101070 [Gift Acceptance - Building Bocce Courts in Justin Herman Plaza - $61,000]
Sponsor: Chiu
Resolution authorizing the Recreation and Park Department to accept a gift of labor and construction materials with a value of $61,000 from the Laborers Local 261 Community and Training Foundation to build two bocce courts on the lawn in Justin Herman Plaza.

08/10/2010; REFERRED to the Land Use and Economic Development Committee.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

22. 101083 [Appeal of Determination of Exemption from Environmental Review for a Project Located at 2514-23rd Avenue]
Hearing of persons interested in or objecting to the decision of the Planning Department's May 5, 2010, Determination of Exemption from Environmental Review, Building Permit No. 2010/05/05/1781, that a project located at 2514-23rd Avenue is exempt from environmental review under Categorical Exemption, Class 3. The proposal would involve structural work to the foundation, roof framing, and the addition of roof dormers, window replacement, and interior work to the building, which is a single-family residence, Lot No. 37, in Assessor's Block No. 2423. (District 4) (Appellant: Nancy Wuerfel, on behalf of the Sunset Parkside Education and Action Committee (SPEAK)).

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

23. 101084 **[Affirming the Exemption Determination for 2514-23rd Avenue]**
Motion affirming the determination by the Planning Department that the project located at 2514-23rd Avenue is exempt from environmental review.

Question: Shall this Motion be APPROVED?

24. 101085 **[Reversing the Exemption Determination Issued for 2514-23rd Avenue]**
Motion reversing the determination by the Planning Department that the 2514-23rd Avenue project is exempt from environmental review.

Question: Shall this Motion be APPROVED?

25. 101086 **[Preparation of Findings to Reverse the Exemption Determination for the 2514-23rd Avenue Project]**
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 2514-23rd Avenue is exempt from environmental review.

Question: Shall this Motion be APPROVED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 26 through 31

26. 101153 [Commending Caesar Caiati]
Sponsor: Alioto-Pier
Resolution commending Caesar Caiati on his 100th Birthday and declaring September 19, 2010, "Caesar Caiati Day" in San Francisco.

09/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

27. 101168 [Urging Pacific Gas and Electric to Cooperate with the City's Request for Infrastructure Information]
Sponsors: Chu; Maxwell and Mirkarimi
Resolution urging Pacific Gas and Electric Company to cooperate completely and swiftly with all requests from the City Administrator and Fire Chief in a Utility Infrastructure Safety Review, and to provide all relevant City Departments with risk level and maintenance plan information for existing pipelines in San Francisco.

09/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 101169 [Recognizing September 22, 2010, as "Please Don't Jump" Day to Promote Suicide Prevention]
Sponsors: Campos; Chiu and Dufty
Resolution recognizing September 22, 2010, as "Please Don't Jump" Day and urging the Golden Gate Bridge, Highway, and Transportation District staff and Board of Directors to continue its efforts to expeditiously construct a suicide barrier on the Golden Gate Bridge.

09/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. 101170 **[Accept and Expend Grant - Susceptibility to Smoking Among Migrants in China - $4,901]**

Sponsor: Mar

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $4,901 from the San Diego State University Research Foundation to support a project that will establish a Handheld Assisted Personal Interview system, including training and consultation for the period of September 17, 2009, through June 30, 2010. (Public Health Department)

09/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 101171 **[Local Support for Congestion Management Agency Block Grant Projects]**

Sponsor: Mayor

Resolution of local support for four projects to be funded by $11,553,000 in federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement funds through the Metropolitan Transportation Commission's Congestion Management Agency Block Grant Program; committing the necessary non-federal match of $1,876,000; and stating assurance to complete the projects.

09/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 101172 **[Apply for Strategic Growth Council Sustainable Communities Planning Grant]**

Sponsor: Mayor

Resolution authorizing the San Francisco Planning Department, in cooperation with the Mayor's Office of Housing, the San Francisco Municipal Transportation Agency, the San Francisco County Transportation Authority, and other Bay Area entities, to apply for a planning grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to develop a Multi-City Bay Area Core Regional Growth and Investment Strategy.

09/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

32. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTION

Proposed resolution received from September 7, 2010, to September 13, 2010, for reference by President to appropriate committee on September 21, 2010.

101150 **[Agreement to Exchange Easements in Connection with the Bay Division Pipeline Reliability Upgrade Project - Bay Tunnel]**
Resolution approving and authorizing an Agreement to Exchange Interests in Real Property to obtain an exclusive, subsurface easement from the Midpeninsula Regional Open Space District in exchange for a non-exclusive open space easement over real property owned by the City and County of San Francisco, for the purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Bay Tunnel; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications, and take certain actions in furtherance of this resolution. (Real Estate Department)

09/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101141 **[Petitions and Communications]**

Petitions and Communications received from September 7, 2010, through September 13, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 21, 2010.

From Planning Department, regarding the initial study notice of availability for the Broadway Sansome Family Housing project located at 235 Broadway. (1)

From Local Homeless Coordinating Board, regarding the San Francisco Rental Subsidy Program for Families. Copy: Each Supervisor (2)

From concerned citizens, submitting opposition to proposed legislation concerning the alcohol mitigation fee. File No. 100865, 70 letters and postcards (3)

From Health Commission, submitting resolution in support of the alcohol mitigation fee program. File No. 100865 (4)

From Ethics Commission, submitting their annual report for FY2009-2010. (5)

From Office of the City Attorney, submitting memorandum entitled "Political Activity by City Employees" from City Attorney Dennis Herrera. (6)

From Abdalla Megahed, submitting copy of letter sent to the In-Home Supportive Services Consortium. Copy: Each Supervisor (7)

From Abdalla Megahed, concerning Terry Jones and his plans to burn 200 Korans at an anti-Muslim rally to remember 9-11. (8)

From Dr. Amos Brown, regarding the San Francisco Branch of the NAACP looking forward to collaborating with California Pacific Medical Center's community-based programs and clinics to provide health care services to the whole community, with an emphasis on disadvantaged residents. (9)

From James Chaffee, regarding the North Beach branch public library. (10)

From Planning Department, regarding the Westside Recycled Water Project. Copy: Each Supervisor (11)

From Verizon Wireless, submitting notification of three cellular antennas to be installed at 1600 El Camino Real. (12)

From Robin Mackey, Bernal Heights Community Action, agreeing to Clearwire's request for a continuance of the public hearing on the appeal for property located at 10 Bernal Heights Boulevard. File Nos. 101041 and 101045, Copy: Each Supervisor (13)

From SPCA, commenting that Pet Food Express has been an eager and loyal supporter of the animal welfare community in San Francisco. File No. 101087, Copy: Each Supervisor (14)

From Office of the Controller, submitting an audit report of San Francisco's Public Utilities Commission Wastewater Enterprise warehouse and inventory controls. (15)

From Office of the Controller, submitting an audit report of the Police Department's need to improve its controls over premium pay and overtime. (16)

From Office of the Controller, submitting a compliance audit report of JetBlue Airways Corporation. (17)

From Office of the Controller, submitting a report on the procedures and internal controls over operations and protection of assets held as part of the Asset Forfeiture Program. (18)

From concerned citizens, submitting opposition to the decision of the Planning Commission by its Motion No. 18139, approving Conditional Use Application 2010.0357C for Pet Food Express located at 3150 California Street. File No. 101087, Copy: Each Supervisor, 5 letters (19)

From Employees' Retirement System, regarding the 2009-2010 Civil Grand Jury Report entitled Pension Tsunami, The Billion Dollar Bubble. Copy: Government Audit and Oversight Committee Clerk (20)

From Municipal Transportation Agency, submitting an update on SFMTA's fare collection initiatives. (21)

From Arthur Evans, regarding the McDonald's store in the Haight-Ashbury District increasing prices of some of their food items. (22)

From Kim Malcheski, regarding MUNI reform. Copy: Each Supervisor (23)

From concerned citizens, submitting opposition to expanding parking meter hours/and or Sunday metering. 4 letters (24)

From Bob Larive, commenting on the "street people" that hang out in the Fisherman's Wharf and North Beach areas day and night. (25)

From Mary Bull, regarding several issues in the Haight-Ashbury District. (26)

From Jennifer Henerlau, thanking the Board of Supervisors for the great exhibition at the State Fair in Sacramento. (27)

From Nick Pasquariello, urging the Board of Supervisors to reject the allocation and transfer of $375,000 in the Comcast settlement to the Bay Area Video Coalition. File No. 091408, Copy: Each Supervisor, 3 letters (28)

From Office of the Controller, submitting a corrected audit report of the agreement between TEGSCO, LLC, dba San Francisco Auto Return and the Municipal Transportation Agency. (29)

From Coalition of Agencies Serving the Elderly, submitting petition urging the Board of Supervisors to restore the $2,100,000 cut from senior services in the Department of Aging and Adult Services budget. (30)

From Jay Sath, regarding panhandling in the downtown area of San Francisco. (31)

From Kimo Crossman, concerning web posting requirements for all city departments of the City and County of San Francisco. 4 letters (32)

From State Office of Historic Preservation, regarding the nomination of the Rialto Building to the National Register of Historic Places. Copy: Each Supervisor (33)

From State Office of Historic Preservation, regarding the nomination of San Francisco Juvenile Court and Detention Home to the National Register of Historic Places. Copy: Each Supervisor (34)

From Department of Public Health, submitting the quarterly AIDS surveillance report for cases reported through June 2010. (35)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to recreational and commercial fishing regulations for federal groundfish and associated species for consistency with federal rules. (36)

ADJOURNMENT

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
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Tuesday, September 28, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at http://www.sfbos.org/meetings. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 4

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Elsbernd

1. 101051 **[Approval to Implement Alternative Bid Process for Construction Trade Packages for the Renovation and Construction of the George S. Moscone Convention Center]**
Ordinance authorizing the San Francisco Department of Public Works to implement an alternative bid process for construction trade packages and to award contracts for construction services, for the renovation of and capital improvements to the Moscone Convention Center. (Public Works Department)

09/21/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 101140 **[Cigarette Litter Abatement Fee - Timing and Standards for Controller's Review and Adjustment]**
Sponsor: Mayor
Ordinance amending Section 105.3 of the San Francisco Administrative Code to change the timelines and standards under which the Controller is directed to review and adjust the Cigarette Litter Abatement Fee.

09/21/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

3. 100922 [Authorizing the Department of Public Health to Enter Into Contracts for Out-of-County Behavioral Health Services in the Foster Care System]
Sponsor: Mayor
Ordinance amending the San Francisco Administrative Code by amending Section 21.42 to authorize the Department of Public Health to contract for behavioral health services to children in the foster care system under the jurisdiction of the City and County of San Francisco and located outside of San Francisco, utilizing contracting language and forms mandated by the State of California under California Welfare and Institutions Code Section 5777.7.

09/21/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

4. 101161 [Construction Agreement for 1150 Ocean Avenue]
Sponsor: Elsbernd
Resolution approving an agreement and authorizing the Director of Planning to execute the agreement on behalf of the City and County of San Francisco in order to ensure the construction on-site of 26 inclusionary units in the mixed-use development proposed at 1150 Ocean Avenue (Lot No. 003 in Assessor's Block No. 3180).

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

(Consideration to override Mayor's Veto pursuant to Charter Section 2.106, pending approval of File No. 101209.)

5. 100865 **[Establishing an Alcohol Cost Recovery Fee]**
Sponsors: Avalos; Mirkarimi, Maxwell, Mar, Daly and Campos
Ordinance amending the San Francisco Administrative Code, Chapter 106, by adding Sections 106 through 106.28, to impose a fee on alcoholic beverage wholesalers and certain other persons who distribute or sell alcoholic beverages in San Francisco to: 1) recover a portion of San Francisco's alcohol-attributable unreimbursed health costs, and; 2) fund administration costs.

NOTE: This action requires a two-thirds vote pursuant to Charter Section 2.106. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor's veto was received on September 21, 2010. Therefore, the Board of Supervisors will lose the ability to override the veto unless it votes on the veto override on or before October 21, 2010.

09/14/2010; AMENDED.

09/14/2010; AMENDED.

09/14/2010; PASSED ON FIRST READING AS AMENDED.

09/21/2010; FINALLY PASSED.

Question: Shall this Ordinance be APPROVED OVER THE MAYOR'S VETO?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

6. 101056 **[Banning the Sale of Tobacco Products in Pharmacies]**
Sponsors: Mar; Dufty and Maxwell
Ordinance amending the San Francisco Health Code by amending Sections 1009.91 and 1009.92, by repealing Section 1009.93, and by re-numbering Sections 1009.94, 1009.95, 1009.96, 1009.97, 1009.98, and 1009.99, as Sections 1009.93, 1009.94, 1009.95, 1009.96, 1009.97, and 1009.98, respectively, all to eliminate the exemptions for general grocery stores and big box stores from the general ban on the sale of tobacco products in pharmacies.

09/21/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

7. 100832 [Contract with Institute on Aging for the Provision of Case Management, Community Living Fund and Linkages Program Services - Not to Exceed $16,144,866]

Resolution retroactively approving the grant agreement between the City and County of San Francisco and the non-profit Institute on Aging to provide Case Management, Community Living Fund and Linkages Program services to seniors and adults with disabilities during the period of July 1, 2010, to June 30, 2014, for a total not to exceed amount of $16,144,866. (Human Services Department)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

8. 100894 [Increasing Contract with Xtech to $41,000,000]

Resolution authorizing the Office of Contract Administration to enter in the First Amendment between the City and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract amount from $24,000,000 to $41,000,000 and update certain standard contractual clauses. (Office of Contract Administration)

Question: Shall this Resolution be ADOPTED?

9. 100991 [Resolution of Intention to Form the Ocean Avenue Community Benefits District]

Sponsor: Avalos

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Ocean Avenue Community Benefits District," and levy a multi-year assessment on identified parcels in the district; (2) approving the management district plan and engineer's report and proposed boundaries map for the district; (3) ordering and setting a time and place for a public hearing thereon; (4) approving the form of the Notice of Public Hearing and Assessment Ballots; and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

Question: Shall this Resolution be ADOPTED?

10. 101110 [Accept and Expend Grant - Airport Commission - U.S. Federal Aviation Administration Grant - Not to Exceed $79,982,500]

Sponsor: Mayor

Resolution authorizing the Airport Commission to execute an Other Transaction Agreement with the Federal Aviation Administration (FAA) for the Replacement Airport Traffic Control Tower and FAA Offices in the amount not to exceed $79,982,500 and retroactively accept and expend federal funds.

Question: Shall this Resolution be ADOPTED?

11. 101152 **[San Francisco International Airport Environment Review]**
Sponsor: Mayor
Resolution adopting California Environmental Quality Act findings related to the Courtyard 2 Air Traffic Control Tower Replacement Project and Integrated Facilities Project at San Francisco International Airport.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Maxwell

12. 101131 **[Board Response to the 2009-2010 Civil Grand Jury Report Entitled "Pension Tsunami: The Billion Dollar Bubble"]**
Sponsor: Mar
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2009-2010 Civil Grand Jury Report entitled "Pension Tsunami: The Billion Dollar Bubble" and urging the Mayor to cause the implementation of accepted findings and recommendations through the department heads and through the development of the annual budget. (Clerk of the Board)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

13. 100757 **[Public Works Code - Minor Encroachment Fee Waiver for Affordable Housing Projects]**
Sponsor: Daly
Ordinance amending Public Works Code, Article 15, Section 723.2, to provide for a waiver of the annual public right-of-way occupancy fee for minor sidewalk encroachment permits necessary for the development of 100% affordable housing projects and adopting environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 100918 **[Mission Bay North - Blocks N3-N3A Public Infrastructure Improvements]**
Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay North - Blocks N3-N3A, including acquisition facilities on portions of King Street, Berry Street, Fourth Street, and Fifth Street; declaring such areas as shown on official Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; accepting a pedestrian access and utility easement relating to the project; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 178,752; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 100755 [Supporting Existing Area Plan Housing Requirements]
Sponsors: Chiu; Mirkarimi, Avalos and Campos
Resolution supporting existing area plan housing requirements.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

16. 101041 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 10 Bernal Heights Boulevard]
Hearing of persons interested in or objecting to the decision of the Planning Commission's July 1, 2010, Determination of Exemption from Environmental Review identified as Planning Case No. 2010.0306C, by its Motion No. 18131, which included the exemption determination, that a project located at 10 Bernal Heights Boulevard is exempt from environmental review under California Environmental Quality Act (CEQA) Guidelines Sections 15301 Class (1), 15303 (Class 3), and 15311 (Class 11), to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park within an RH-1(D) (Residential, House, Single-Family, Detached) Zoning District and a 40-X Height and Bulk District, on property located at 10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548. (District 9) (Appellant: Erick Arguello on behalf of the Lower 24th Street Merchant Association.)

(Filed August 2, 2010; Companion Measure to File Nos. 101042, 101043, 101044.)

09/14/2010; CONTINUED.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

17. 101042 **[Affirming the Exemption Determination for 10 Bernal Heights Boulevard]**
Motion affirming the determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review. (Clerk of the Board)

09/14/2010, CONTINUED

Question: Shall this Motion be APPROVED?

18. 101043 **[Reversing the Exemption Determination Issued for 10 Bernal Heights Boulevard]**
Motion reversing the determination by the Planning Commission that the 10 Bernal Heights Boulevard project is exempt from environmental review. (Clerk of the Board)

09/14/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

19. 101044 **[Preparation of Findings to Reverse the Exemption Determination for the 10 Bernal Heights Boulevard Project]**
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review. (Clerk of the Board)

09/14/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

20. 101045 **[Public Hearing - Conditional Use Appeal for 10 Bernal Heights Boulevard]**
Hearing of persons interested in or objecting to the decision of the Planning Commission's July 1, 2010, Conditional Use Permit identified as Planning Case No. 2010.0306C, by its Motion No. 18131, under Planning Code Sections 209.6(b) and 303, to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park and to modify the Conditional Use approval under Case No. 2008.1157C to change the number of allowed antennas on the site within the RH-1(D) (Residential, House, Single-Family, Detached) Zoning District, and a 40-X Height and Bulk District, on property located at 10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548. (District 9) (Filed by Erick Arguello on behalf of the Lower 24th Street Merchant Association, and subscribed by Supervisors Campos, Mar, Chiu, Chu, Mirkarimi, and Avalos.)

(Filed August 2, 2010; Companion Measure to File Nos. 101046, 101047, 101048.)

09/14/2010; CONTINUED.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

21. 101046 [Approving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]

Motion approving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

09/14/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

22. 101047 [Disapproving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]

Motion disapproving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

09/14/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

23. 101048 [Preparation of Findings Related to the Conditional Use Appeal for 10 Bernal Heights Boulevard]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Application No. 2010.0306C on property located at 10 Bernal Heights Boulevard. (Clerk of the Board)

09/14/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

24. 101031 **[Public Hearing - Appeal of Final Environmental Impact Report for 222-2nd Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's August 12, 2010, Certification of a Final Environmental Impact Report identified as Planning Case No. 2006.1106E, through its Motion No. 18166, for a proposed office project located at 222-2nd Street with 430,650 gross square feet of office space, approximately 4,963 square feet of ground-floor retail space; and approximately 27,932 square feet of parking area located on two below ground parking levels, with approximately 54 parking spaces, with the capacity for 80 vehicles with valet parking within the C-3-O (SD) Downtown Office (Special Development) District and 350-S/150-S Height and Bulk Districts, Lot No. 063, in Assessor's Block No. 3735. (District 6) (Appellant: Sue C. Hestor, on behalf of 246-2nd Street Owners Association)

(Filed September 1, 2010; Companion to File Nos. 101032, 101033, 101034.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

25. 101032 **[Affirming the Certification of the 222-2nd Street Project Final Environmental Impact Report]**

Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 222-2nd Street Project.

Question: Shall this Motion be APPROVED?

26. 101033 **[Reversing the Certification of the 222-2nd Street Project Final Environmental Impact Report]**

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 222-2nd Street Project.

Question: Shall this Motion be APPROVED?

27. 101034 **[Preparation of Findings to Reverse Certification of the 222-2nd Street Project Final Environmental Impact Report]**

Motion directing the Clerk of the Board to prepare findings reversing the certification of the Final Environmental Impact Report for the 222-2nd Street Project.

Question: Shall this Motion be APPROVED?

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 101181.)

28. **101182** **[Public Hearing - Certification of Appropriateness for Alterations to the Board of Supervisors' Legislative Chamber]**
Hearing on the Historic Preservation Commission's approval of Motion No. 0079 (Case No. 2010.0677A), Certificate of Appropriateness, pursuant to Planning Code Section 1006.8(e), in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot No. 001 in Assessor's Block No. 0787 (City Hall) - 1 Dr. Carlton B. Goodlett Place. (Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report

(Only one of the following two motions should be approved.)

29. **101183** **[Approving the Historic Preservation Commission's Approval for Certificate of Appropriateness Regarding the Alterations of the Board of Supervisors' Legislative Chamber]**
Motion approving the Historic Preservation Commission's approval of Motion No. 0079 (Case No. 2010.0677A), Certificate of Appropriateness, pursuant to Planning Code Section 1006.8(e), in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot No. 001 in Assessor's Block No. 0787 (City Hall) - 1 Dr. Carlton B. Goodlett Place. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

30. **101184** **[Disapproving the Historic Preservation Commission's Approval for Certificate of Appropriateness Regarding the Alterations of the Board of Supervisors' Legislative Chamber]**
Motion disapproving the Historic Preservation Commission's approval of Motion No. 0079 (Case No. 2010.0677A), Certificate of Appropriateness, pursuant to Planning Code Section 1006.8(e), in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot No. 001 in Assessor's Block No. 0787 (City Hall) - 1 Dr. Carlton B. Goodlett Place. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, September 27, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, September 28, 2010.

31. 100851 **[Planning Code - Rehabilitation and Maintenance of Transfer Lots After Sale of Transferable Development Rights; Zoning Map and General Plan Map Amendments - 680 California Street (Old St. Mary's Cathedral)]**
Sponsors: Chiu; Maxwell

Ordinance amending Section 128 of the San Francisco Planning Code to require that proceeds from the sale of Transferable Development Rights (TDR) be spent on rehabilitation and maintenance of the Transfer Lot property, to establish reporting procedures regarding the rehabilitation and maintenance, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block No. 0241, Lot Nos. 011 and 012, from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

09/21/2010; DUPLICATED. See File No. 101200.

09/21/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

09/21/2010; RE-REFERRED to the Land Use and Economic Development Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 101200 [Planning Code - Preservation and Rehabilitation of Transfer Lots After Sale of Transferable Development Rights; Zoning Map and General Plan Map Amendments - 680 California Street (Old St. Mary's Cathedral)]

Sponsors: Chiu and Maxwell

Ordinance amending Section 128 of the San Francisco Planning Code to require that proceeds from the sale of Transferable Development Rights (TDR) be spent on preservation and rehabilitation of the Transfer Lot property, to establish reporting procedures regarding the preservation and rehabilitation, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block No. 0241, Lot Nos. 011 and 012, from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

09/21/2010; DUPLICATED. See File No. 100851.

09/21/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

09/21/2010; RE-REFERRED to the Land Use and Economic Development Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 33 through 41

33. 101209 **[Directing the Clerk of the Board to Agendize Consideration to Override Alcohol Cost Recovery Fee Veto]**
Sponsor: Avalos
Motion directing the Clerk of the Board to agendize consideration to override veto pursuant to Charter Section 2.016 of an ordinance which would establish an Alcohol Cost Recovery Fee (File No. 100865) at the Regular Meeting of September 28, 2010.

09/22/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

34. 101181 **[Committee of the Whole - September 28, 2010 - Hearing on the Historic Preservation Commission's Certificate of Appropriateness for Alterations to the Board of Supervisors' Legislative Chamber]**
Motion to sit as a Committee of the Whole for a hearing on the Historic Preservation Commission's approval of Motion No. 0079 (Case No. 2010.0667A), Certificate of Appropriateness, pursuant to Planning Code Section 1006.8(e), in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot No. 001 in Assessor's Block No. 0787 (City Hall) - 1 Dr. Carlton B. Goodlett Place, to be held on September 28, 2010. (Clerk of the Board)

09/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

35. 101203 **[Ensuring Safe, Affordable, and Quality Patient Care]**
Sponsor: Daly
Resolution urging all relevant City agencies to uphold and strengthen current medical cannabis laws, and regulatory procedures that ensures quality care of patients, protects residents, and provides a true benefit to the community, and discourages business practices that threaten local permitted medical cannabis dispensary operators.

09/22/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 101204 [Declaring October 6, 2010, as Walk to School Day to Promote the Safety and Health of Children]
Sponsor: Dufty
Resolution declaring October 6, 2010, as Walk to School Day to promote the safety and health of children in the City and County of San Francisco.

09/22/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 101205 [Affordable Child Care Facilities and Teacher's Housing - 1155 Page Street]
Sponsor: Mirkarimi
Resolution urging the San Francisco Unified School District to consider developing both affordable child care facilities and affordable teacher's housing on the surplus property located at 1155 Page Street.

09/22/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 101206 [Proposition 23 - California Global Warming Solutions Act of 2006]
Sponsors: Mayor; Chiu, Mirkarimi, Alioto-Pier, Dufty, Mar, Chu, Elsbernd, Maxwell and Avalos
Resolution opposing Proposition 23, an initiative constitutional amendment suspending the California Global Warming Solutions Act of 2006, until California's unemployment rate drops to 5.5 percent or less for four consecutive quarters.

09/22/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 101207 [Committee of the Whole - October 5, 2010 - Public Hearing to Renew/Re-Establish the 2500 Block of Mission Street Business Improvement District, to be Known as the Mission Miracle Mile Business Improvement District]
Sponsor: Campos
Motion to sit as a Committee of the Whole to hold a public hearing on October 5, 2010, to consider adopting a Resolution to renew and re-establish the 2500 Block of Mission Street Business Improvement District, to now be known as the Mission Miracle Mile Business Improvement District.

09/21/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

40. 101210 **[Supporting the LGBT Marchers and Their Supporters in the October 10, 2010, Gay Pride Parade in Belgrade, Serbia]**
Sponsor: Dufty
Resolution supporting the Lesbian, Gay, Bisexual, and Transgender marchers and their supporters as they peacefully exercise their human right to be visible in the streets, free from violence and fear, during the Gay Pride Parade in Belgrade, Serbia on October 10, 2010.

09/22/2010, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

41. 101189 **[Final Map 5679: 531 - 545 Octavia Street]**
Motion approving Final Map 5679, a five Lot Airspace Subdivision Project, located at 531 - 545 Octavia Street being a subdivision of Lot No. 001B in Assessors Block No. 0807 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

09/20/2010, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

42. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from September 14, 2010, to September 20, 2010, for reference by President to appropriate committee on September 28, 2010.

101216 **[Mission Bay South - Fourth Street, Channel Street, and Third Street Public Infrastructure Improvements]**
Ordinance accepting the Irrevocable Offers of property along portions of Channel Street and Third Street and the irrevocable offers of Improvements of public infrastructure improvements, including acquisition facilities on Channel Street, Fourth Street, and Third Street; dedicating such improvements for public use; declaring such areas as shown on Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,869; and authorizing official acts in connection with this Ordinance. (Public Works Department)

09/20/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

101217 **[Mission Bay South - Blocks 10-10A Public Infrastructure Improvements]**
Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 10-10A including acquisition facilities on China Basin Street, Terry A. Francois Boulevard and Mission Bay Boulevard North; declaring City property as shown on official Department of Public Works maps as open public right-of-way; dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,870; and authorizing official acts in connection with this Ordinance. (Public Works Department)

09/20/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

101218 **[Mission Bay South - Storm Water Pump Station No. 6 Public Infrastructure Improvements]**
Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay Storm Water Pump Station No. 6 including acquisition facilities located on and under Bayfront Park along Terry A. Francois Boulevard; accepting said facilities for City maintenance and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,871; and authorizing official acts in connection with this Ordinance. (Public Works Department)

09/20/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

101219 **[Relocation Impact Study and Last Resort Housing Plan for Central Subway Project]**
Ordinance approving the San Francisco Municipal Transportation Agency's Relocation Impact Study and Last Resort Housing Plan for the Central Subway Project. (Municipal Transportation Agency)

09/20/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolution received from September 14, 2010, to September 20, 2010, for reference by President to appropriate committee on September 28, 2010.

101213 **[Airline/Airport 2011 Lease and Use Agreement]**
Resolution approving six new Airline/Airport Lease and Use Agreements between the City and County of San Francisco and various airlines, effective July 1, 2011, to allow such Airlines to conduct domestic and international flight operations at San Francisco International Airport. (Airport Commission)

09/15/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101214 **[Airline/Airport Lease and Use Agreement and Lease and Operating Agreement Modifications]**
Resolution approving modifications to the terms of two Airline/Airport Lease and Use Agreements between the City and County of San Francisco and Alaska Airlines, Inc. and Continental Airlines, Inc. to allow such Airlines to modify the rental of Terminal Space. (Airport Commission)

09/15/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101215 **[Leases of Real Property]**
Resolution authorizing the amendment of four existing leases (at 729 Filbert Street, 650 Fifth Street, 160 South Van Ness Avenue, and 109 New Montgomery Street) to reduce the rent and extend the lease term for the Department of Public Health, Human Services Agency, and the Department of Child Support Services. (Real Estate Department)

09/20/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101180 [Petitions and Communications]

Petitions and Communications received from September 14, 2010, through September 20, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 28, 2010.

From Controller's Office, submitting a report of concession audit of J. Avery Enterprises, Inc., dba Klein's Deli. (1)

From Planning Department, submitting a transmittal for a Certificate of Appropriateness approved by the Historic Preservation Commission, to make the Board Chambers wheelchair accessible. (2)

From Police Department, submitting reports for Part II crime data. (3)

From Controller's Office, submitting a report of City departments using the most overtime for July 2010. (4)

From concerned citizens, submitting a letter of support for the proposed Ocean Avenue Community Benefit District. File No. 100991, 10 letters (5)

From Christopher Wen, urging the Board of Supervisors to not to raise the fee nor extend the hours of parking meters along West Portal Avenue to include Sundays. (6)

From concerned citizens, submitting opposition to Establishing an Alcohol Cost Recovery Fee. File No. 100865, 9 letters (7)

From the Capital Planning Committee, submitting recommendations of the Capital Planning Committee on Streets and Rights-of-Way Certificates of Participation, Board Chambers Barrier Removal, Hope San Francisco Hunter's View, and the Area Plan Infrastructure Finance Committee. (8)

From Tyler Wierzbicki, submitting support of the Planning Commission's, Conditional Use Permit to allow Pet Food Express, on property located at 3150 California Street. File No. 101087 (9)

From concerned citizens, submitting opposition to the Planning Commission's, Conditional Use Permit to allow Pet Food Express, on property located at 3150 California Street. File No. 101087, 4 letters (10)

From Department of Toxic Substances Control, submitting public notice and comment period for proposed rulemaking, to add chapter 53 to division 4.5 or Title 22, California Code of Regulations, and to amend the Table of Contents. (11)

From Christian Holmer, submitting opinion on San Francisco Chronicle story to require online posting of San Francisco data. (12)

From Steve Heilig, submitting support for banning the sale of tobacco products in pharmacies. File No. 101056 (13)

From Department of Public Works, submitting data on the cost to abate litter in FY2009-2010. File No. 101140 (14)

From City Attorney Dennis Herrera and Supervisor Maxwell, submitting a letter to Yakout Mansour, President and Chief Officer, California Independent System Operator, regarding the closing of the Potrero Power Plant. Copy: Board of Governors, ISO, Mirant, and Pacific Gas and Electric. (15)

From San Francisco Municipal Transportation Agency, submitting response to request for the Municipal Transportation Agency to research the feasibility of amending Transportation Code 7 2 84 to address the issue of visibility at major traffic intersections. (16)

From Tim Brace, submitting concern regarding the Library Commission not posting Civic Center Community Benefit District proposal. (17)

From Aaron Goodman, submitting an article from the New York Times, regarding the loss and reduction in rent controlled and rent stabilized units in New York City. (18)

From Janas Page, submitting recommendations to educate drivers on which lanes bike use, re-timing the lights on bike-landed streets to slow cars, and trucks to a safer speed. (19)

From Janas Page, submitting concern of a public toilet at the 24th Street BART Plaza. (20)

From California State Lands Commission, submitting notice of hearing to determine cession of jurisdiction to the United States over land known as leased state owned tidelands adjacent to the Golden Gate National Recreation area at Ocean Beach and the San Francisco Presidio. (21)

From Fish and Game Commission, submitting notice of proposed regulatory action, relating to marine protected areas. (22)

From the Office of the Treasurer and Tax Collector, submitting a report on the investment activity for fiscal-year-to-date of the portfolios under the Treasurer's management. (23)

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

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PUBLIC LIBRARY

Date: **Tuesday, October 5, 2010**

Time: **3:00 p.m.**

Location: **Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA**

Subject: **Public Hearing pursuant to Business and Tax Regulations Code Article 15, Section 1511(g) on the property-based 2500 Block of Mission Street Business Improvement District, to be known as the "Mission Miracle Mile Business Improvement District"**

Pursuant to Business and Tax Regulations Code Article 15, Section 1511(g), this is to notify you that a petition signed by property owners to form a property and business improvement district in your area was received by the Clerk of the Board of Supervisors on July 20, 2010. The proposed district would be a renewal of the existing 2500 Block of Mission Street Business Improvement District; the proposed district would be known as the Mission Miracle Mile Business Improvement District (BID).

If this Property and Business Improvement District is formed, it would authorize assessments against real property in the district. Formation of the property and business improvement district is subject to the approval of the Board of Supervisors after noticed public hearings and a vote by the property owners who would be subject to the assessments.

Following public comment, ballots submitted by the property owners in the proposed Mission Miracle Mile Business Improvement District (BID) will be counted by the Department of Elections and the results will be announced by the Board of Supervisors. If the ballot election does not result in a majority protest against formation of the proposed district, the Board of Supervisors may vote to establish the Mission Miracle Mile BID.

Further information about this petition and proposed district, including the district management plan, which describes the operations and activities of the proposed district,

may be reviewed in Legislative File No. 100967 at the Office of the Clerk of the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco. Alternatively, information may be accessed on the Board of Supervisors web site at www.sfbos.org.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102.

Angela Calvillo
Clerk of the Board

DATED/MAILED: September 3, 2010
PUBLISHED: September 24, 2010

AVISO DE AUDIENCIA PUBLICA

MESA DE SUPERVISORES DE LA CIUDAD Y EL CONDADO DE SAN FRANCISCO

Este anuncio avisa que la Mesa de Supervisores de la Ciudad y Condado de San Francisco tendra una audiencia publica para considererar la propuesta siguiente y que dicha audiencia ocurrira en el dia y local mencionado, donde personas interesadas pueden hacerse presente y declarar sus opiniones:

Fecha: **Martes, 5 de Octubre, 2010**

Hora: **3:00 p.m.**

Ubicacion: **Camara Legislativa del Ayuntamiento, Cuarto 250, #1 Dr. Carlton B. Goodlett Place, San Francisco, CA**

Tema: **Audiencia Publica consequente a las Reglas del Codigo de Negocios e Impuestos Articulo 15, Seccion 1511(g) sobre el distrito commercial de mejoramiento basado en propiedades en la cuadra de numeros 2500 de la calle Mission que sera nombrado "Mission Miracle Mile Business Improvement District"**

De acuerdo con el Codigo de Negocios e Impuestos Articulo 15, Seccion 1511(g), este aviso advierte que una peticion firmada por dueños de propiedades por razon de crear un Distrito Comercial de Mejoramiento fue recibido por la Secretaria de la Mesa de Supervisores el 20 de Julio de 2010. The distrito propuesto sera una renovacion de la cuadra existente 2500 de el Distrito Comercial de Mejoramiento. El distrito propuesto sera nombrado "Mission Miracle Mile Business Improvement District."

Si este Distrito Comercial de Mejoramiento es creado, autorizaria impuestos adicionales contra propiedades en el distrito. La creacion de el distrito commercial de mejoramiento es sujeto a el approval de la Mesa de Supervisores despues de la conclusion de audiencias publicas y de un voto por duenos de propiedades que serian afectados for los impuestos nuevos.

A conclusion de audiencia publica, votos entregados por dueños de propiedades en el distrito del mejoramiento (Mission Miracle Mile Business Improvement District (BID)) seran tabulados por el Departamento de Elecciones, y el resultado sera anunciado por la Mesa de Supervisores. Si la eleccion no resulta en protesta de la mayoria contra el establecimiento de el distrito propuesto, la Mesa de Supervisores pueden via voto, autorizar el establecimiento del dicho Distrito.

Informacion adicional sobre esta petitcion y el distrito propuesto, inclusive el plan de administracion de el distrito, que describe la operacion y las actividades del distrito propuesto pueden ser revisadas en la accion legislativa 100967 en la oficina de la Secretaria de la Mesa de los Supervisores, Ayuntamiento, Cuarto 244, 1 Dr. Carlton B. Goodlett Place, San Francisco. Alternativamente,dicha informacion se puede revisar en el Internet, en el sitio de la Mesa de Supervisores, www.sfbos.org.

De acuerdo con la Seccion 67.7-1 de el Codigo Administrativo de San Francisco, personas que no puedan acudir la audiencia publica pueden someter a consideracion observaciones por escrito antes de el comienzo de la audiencia. Tales observaciones se agregaran al record public official y seran dado a la Mesa de Supervisores. Observaciones en escrito deben ser enviados a Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102.

for

Angela Calvillo
Secretaria de la Mesa de Supervisores

ENVIADO POR CORREO: 3 de Septiembre, 2010
PUBLICADO: 24 de Septiembre, 2010

公聽會通告

三藩市市參事

三藩市市參事將舉行公聽會考慮下列建議、有關各方可出席參加。

日期： 星期二，**2010** 年**10** 月 **5**日

時間： 下午 **3:00** 時

位置：**立法會議廳、市政廳、 250室1 Dr. Carlton B. Goodlett Place, San Francisco, CA**

主題: 位以2500 段的Mission Street Business Improvement District稱為 "Mission Miracle Mile Business Improvement District".

根據商業稅務法規第15章第1511(g)條例、現通知你、事議會書記於2010年7月20日收到你社區的物業業主簽名提出建立物業和商業改良區的申請。社區建議更新現有的2500段Mission Street Business Improvement District稱為"Mission Miracle Mile Business Improvement District"。

如果物業和商業改良區建立、它將會授權對你所屬社區的物業進行評估。物業和商業改良區是否建立、是由市參事通過公聽會和物業業主的投票後決定。

公眾意見後、選舉處將計物業業主的票數、市參事公佈數票結果、後再投票建立"Mission Miracle Mile Business Improvement District"。

欲了解有關申請和建議區、包括區域的管理計劃、即所建議區內的運作和活動、請到事議會書記部、市政廳大樓、244 室 1 Dr. Carlton B. Goodlett Place, San Francisco 或市參事網址 www.sfgov.org. 詢查。

無法出席者可在公聽會開始前提交書面意見。這些書面意見將成爲正式公共紀錄的一部分和提供給市參事注意。書面意見應寄给事議會書記, Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. CarltonGoodlett Place, San Francisco, CA 94102。

Angela Calvillo
事議會書記

郵寄： 2010 年 9 月 3日
公佈： 2010 年 9 月 24日

S.F. BOARD OF SUPERVISORS
CITY HALL, ROOM 244
1 DR. CARLTON GOODLETT PLACE
SAN FRANCISCO, CA 94102-4689

IMPORTANT HEARING NOTICE!!!

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, October 5, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

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First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at http://www.sfbos.org/meetings. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Elsbernd

1. 101036 **[Contract with the State of California Office of Administrative Hearings to Provide Administrative Law Judges to Serve as Hearing Officers on Administrative Appeals]**
Resolution authorizing the Department of Emergency Management to enter into a contract with the State of California Office of Administrative Hearings to provide administrative law judges to serve as hearing officers on administrative appeals from certification actions by the San Francisco Emergency Medical Services Agency. (Department of Emergency Management)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

2. 100526 **[Gift Acceptance - Fire Department - Five Commercial Washer-Extractors - $44,000]**
Resolution authorizing the San Francisco Fire Department to accept a gift from the San Francisco Firefighters' Cancer Prevention Foundation of five commercial washer-extractors valued at approximately $44,000 to clean personal protective equipment. (Fire Department)

Question: Shall this Resolution be ADOPTED?

3. 101149 [Liquor License, 1097 Howard Street, #209]

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Christy Bergman for The Secret Wine Shop at 1097 Howard St., #209 (District 6), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

4. 101160 [Accept and Expend Grant - Department of Public Health - Pierce's Disease Control and Organic Program - $128,916.32]

Sponsor: Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively two grants (Agreements Nos. 10-0347 and 10-153) totaling $128,916.32 from the California Department of Food and Agriculture (CDFA) to fund the Pierce's Disease Control Program for the period of July 1, 2010, through June 30, 2012, and the Organic Program for the period of July 1, 2010, through June 30, 2011.

Question: Shall this Resolution be ADOPTED?

5. 101162 [Accept and Expend Grant - Department of Public Health - Project for Assistance in Transition from Homelessness - $631,739]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the United States Department of Health and Human Services in the amount of $631,739 to fund the project entitled "Project for Assistance in Transition from Homelessness" for the period July 1, 2010, through June 30, 2011.

Question: Shall this Resolution be ADOPTED?

6. 101163 [Accept and Expend Grant - Department of Public Health - Community Risk Reduction Plan - $49,995]

Sponsor: Maxwell

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $49,995 from the Bay Area Air Quality Management District, to support a project entitled "Community Risk Reduction Plan" for the period of July 1, 2010, through December 30, 2011.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present Supervisors Maxwell, Mar, Chiu

7. 100757 **[Public Works Code - Minor Encroachment Fee Waiver for Affordable Housing Projects]**

Sponsor: Daly

Ordinance amending Public Works Code, Article 15, Section 723.2, to provide for a waiver of the annual public right-of-way occupancy fee for minor sidewalk encroachment permits necessary for the development of 100% affordable housing projects and adopting environmental findings.

09/28/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 100851 **[Planning Code - Rehabilitation and Maintenance of Transfer Lots After Sale of Transferable Development Rights; Zoning Map and General Plan Map Amendments - 680 California Street (Old St. Mary's Cathedral)]**

Sponsors: Chiu; Maxwell

Ordinance amending Section 128 of the San Francisco Planning Code to require that proceeds from the sale of Transferable Development Rights (TDR) be spent on rehabilitation and maintenance of the Transfer Lot property, to establish reporting procedures regarding the rehabilitation and maintenance, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block No. 0241, Lot Nos. 011 and 012, from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

09/21/2010; DUPLICATED.

09/21/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

09/21/2010; RE-REFERRED to the Land Use and Economic Development Committee.

09/28/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 100918 [Mission Bay North - Blocks N3-N3A Public Infrastructure Improvements]
Sponsor: Daly

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay North - Blocks N3-N3A, including acquisition facilities on portions of King Street, Berry Street, Fourth Street, and Fifth Street; declaring such areas as shown on official Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; accepting a pedestrian access and utility easement relating to the project; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 178,752; and authorizing official acts in connection with this Ordinance. (Public Works Department)

09/28/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

*Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

(Consideration to override Mayor's Veto pursuant to Charter Section 2.106, communication on September 28, 2010, and Board Rule 4.19.)

10. 100865 **[Establishing an Alcohol Cost Recovery Fee]**
Sponsors: Avalos; Mirkarimi, Maxwell, Mar, Daly and Campos
Ordinance amending the San Francisco Administrative Code, Chapter 106, by adding Sections 106 through 106.28, to impose a fee on alcoholic beverage wholesalers and certain other persons who distribute or sell alcoholic beverages in San Francisco to: 1) recover a portion of San Francisco's alcohol-attributable unreimbursed health costs, and; 2) fund administration costs.

NOTE: This action requires a two-thirds vote pursuant to Charter Section 2.106. The Board may not amend the ordinance and may only vote in favor or in opposition to veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor's veto was received on September 21, 2010. Therefore, the Board of Supervisors will lose the ability to override the veto unless it votes on the veto override on or before October 21, 2010.

09/14/2010; AMENDED.

09/14/2010; AMENDED.

09/14/2010; PASSED ON FIRST READING AS AMENDED.

09/21/2010; FINALLY PASSED.

Question: Shall this Ordinance be APPROVED OVER THE MAYOR'S VETO?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Elsbernd

11. 101103 [Appropriating $2,188,777 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for FY2009-2010]
Sponsor: Mayor
Ordinance appropriating $2,188,777 of General Fund Reserve to fund indigent defense expenses associated with increased felony caseloads in the Superior Court for FY2009-2010, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 100983 [Approve Modification of Lease - Airport Commission - Japan Airlines]
Resolution approving and authorizing the execution of Modification No. 1 to Lease No. L01-0297 with Japan Airlines Company Limited to reduce the demised premises and the annual rent at Building 944 on Plot 50B-1 at San Francisco International Airport. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

13. 101202 [Annual Report - 2500 Block of Mission Street Business Improvement District]
Sponsor: Campos
Resolution receiving and approving the 2500 Block of Mission Street Business Improvement District Annual Reports for FYs2007, 2008, and 2009, as submitted, pursuant to Section 36650 of the Business Property and Business Improvement Act of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's Management Contract with the City.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

14. 100528 [Exempting Certain Nonprofits from Guide Permit Requirement]
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Police Code by amending Section 1295 to exempt nonprofit organizations conducting educational tours from the requirement to obtain a guide permit.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 101178 **[Honoring Local Restaurants During Restaurant Appreciation Month]**
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Health Code by adding Section 456.7 requiring the San Francisco Health Department to declare one month out of the year "Restaurant Appreciation Month" to honor certain local restaurants and to create an application and selection process to identify qualifying restaurants.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 100645 **[Naming the 17th Street Pedestrian Plaza in the Castro as Jane Warner Plaza]**
Sponsor: Dufty
Resolution naming the 17th Street pedestrian plaza located at the intersection of 17th Street, Castro Street, and Market Street as Jane Warner Plaza.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Maxwell

17. 100873 **[Animal Care and Control Welfare Fund – Not to Exceed $50,000]**
Sponsor: Chu
Ordinance amending the San Francisco Administrative Code, Chapter 10, by amending Section 10.100-23, to change the gift fund category for the Animal Care and Control Welfare Fund, and to authorize the Department of Animal Care and Control to accept gifts of cash, equipment, property, and services not to exceed $50,000.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 100877 **[Board Response to the 2009-2010 Civil Grand Jury Report Entitled "Sharing the Roadway: From Confrontation to Conversation"]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2009-2010 Civil Grand Jury Report entitled "Sharing the Roadway: From Confrontation to Conversation" and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget. (Clerk of the Board)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

19. 100188 [Zoning - 1800 Market Street Community Center Project Special Use District]
Sponsor: Dufty

Ordinance amending the San Francisco Planning Code by adding Section 787 to establish the 1800 Market Street Community Center Project Special Use District for property located at 1800 Market Street (Lot No. 014, Assessor's Block No. 871), located at the northwest corner of Market Street and Octavia Boulevard; amending Sheet No. SU07 of the Zoning Map of the City and County of San Francisco to reflect this new Special Use District; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 2:30 P.M.

(NOTE Time change pursuant to Board Action on September 28, 2010.)

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

20. 101031 **[Public Hearing - Appeal of Final Environmental Impact Report for 222-2nd Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's August 12, 2010, Certification of a Final Environmental Impact Report identified as Planning Case No. 2006.1106E, through its Motion No. 18166, for a proposed office project located at 222-2nd Street with 430,650 gross square feet of office space, approximately 4,963 square feet of ground-floor retail space; and approximately 27,932 square feet of parking area located on two below ground parking levels, with approximately 54 parking spaces, with the capacity for 80 vehicles with valet parking within the C-3-O (SD) Downtown Office (Special Development) District and 350-S/150-S Height and Bulk Districts, Lot No. 063, in Assessor's Block No. 3735. (District 6) (Appellant: Sue C. Hestor, on behalf of 246-2nd Street Owners Association)

(Filed September 1, 2010; Companion to File Nos. 101032, 101033, 101034.)

09/28/2010; CONTINUED.

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

21. 101032 [Affirming the Certification of the 222-2nd Street Project Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 222-2nd Street Project.

09/28/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

22. 101033 [Reversing the Certification of the 222-2nd Street Project Final Environmental Impact Report]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 222-2nd Street Project.

09/28/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

23. 101034 [Preparation of Findings to Reverse Certification of the 222-2nd Street Project Final Environmental Impact Report]

Motion directing the Clerk of the Board to prepare findings reversing the certification of the Final Environmental Impact Report for the 222-2nd Street Project.

09/28/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 101207, approved on September 28, 2010.)

24. 101249 **[Public Hearing - Resolution to Establish (Renew) the 2500 Block of Mission Street Business Improvement District, to Now be Known as the Mission Miracle Mile Business Improvement District]**

Sponsor: Campos

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based Business Improvement District to now be known as the "Mission Miracle Mile Business Improvement District," by: (1) renewing the previously established 2500 Block of Mission Street Business Improvement District for a period of five years and six months; (2) approving the management district plan and engineer's report and boundaries map; (3) ordering the levy and collection of assessments against the property located in the Mission Miracle Mile Business Improvement District for five years, for FYs2010-2011 through 2014-2015 (each FY begins on July 1 and ends the following June 30), subject to conditions as specified; (4) approving services, improvements, and activities to be provided through December 31, 2015; and (5) making environmental findings. (Clerk of the Board)

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Committee of the Whole Adjourn and Report

25. 101250 **[Resolution to Establish (Renew) the 2500 Block of Mission Street Business Improvement District, to Now be Known as the Mission Miracle Mile Business Improvement District]**

Sponsor: Campos

Resolution establishing a property-based Business Improvement District to now be known as the "Mission Miracle Mile Business Improvement District," by: (1) renewing the previously established 2500 Block of Mission Street Business Improvement District for a period of five years and six months; (2) approving the management district plan and engineer's report and boundaries map; (3) ordering the levy and collection of assessments against the property located in the Mission Miracle Mile Business Improvement District for five years, for FYs2010-2011 through 2014-2015 (each FY begins on July 1 and ends the following June 30), subject to conditions as specified; (4) approving services, improvements, and activities to be provided through December 31, 2015; and (5) making environmental findings.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

26. 101135 [Appeal of Conditional Use for 1268 Grant Avenue Project]
Hearing of persons interested in or objecting to the decision of the Planning Commission's August 5, 2010, Conditional Use Authorization identified as Planning Case No. 2010.0438C, by its Motion No. 18160, under Planning Code Section 790.38, to allow an Other Entertainment use, in an existing restaurant and bar (dba King of Thai Noodle House) located at 1268 Grant Avenue, within the North Beach Neighborhood Commercial District (NCD), the 40-X Height and Bulk District, and the North Beach Special Use District (SUD), in Assessor's Block No. 0145, Lot No. 032. (District 3) (Filed by Vedica Puri, on behalf of the Telegraph Hill Dwellers, and subscribed by Supervisors Chiu, Avalos, Campos, Mar, and Maxwell.)

(Filed September 7, 2010; Companion Measure to File Nos. 101136, 101137 and 101138.)

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

27. 101136 [Approving Planning Commission Decision Related to Conditional Use Appeal for 1268 Grant Avenue]
Motion approving decision of the Planning Commission by its Motion No. 18160, approving Conditional Use Application No. 2010.0438C on property located at 1268 Grant Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

28. 101137 [Disapproving Planning Commission Decision Related to Conditional Use Appeal for 1268 Grant Avenue]
Motion disapproving decision of the Planning Commission by its Motion No. 18160, approving Conditional Use Application No. 2010.0438C on property located at 1268 Grant Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

29. 101138 [Preparation of Findings Related to the Conditional Use Appeal for 1268 Grant Avenue]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2010.0438C on property located at 1268 Grant Avenue. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

30. 101185 **[Appeal of Tentative Parcel Map for 0 Los Palmos Drive (Vacant) and 795 Foerster Street]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated September 7, 2010, affirming the approval of a Tentative Parcel Map for 4 lots subdivision project located at 0 Los Palmos Drive (vacant), Lot No. 116, in Assessor's Block No. 3027A, and 795 Foerster Street, Lot No. 117, in Assessor's Block No. 3027A. (District 7) (Appellant: Sina Tarassoly)

(Filed September 17, 2010; Companion Measure to File Nos. 101186, 101187 and 101188.)

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

31. 101186 **[Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map for 0 Los Palmos Drive (Vacant) and 795 Foerster Street]**
Motion approving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the Tentative Parcel Map for a 4-lot subdivision located at 0 Los Palmos Drive (vacant), Assessor's Block No. 3027A, Lot No. 116; and 795 Foerster Street, Assessor's Block No. 3027A, Lot No. 117.

Question: Shall this Motion be APPROVED?

32. 101187 **[Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map for 0 Los Palmos Drive (Vacant) and 795 Foerster Street]**
Motion disapproving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and disapproving the Tentative Parcel Map for a 4-lot subdivision located at 0 Los Palmos Drive (vacant), Assessor's Block No. 3027A, Lot No. 116; and 795 Foerster Street, Assessor's Block No. 3027A, Lot No. 117.

Question: Shall this Motion be APPROVED?

33. 101188 **[Findings Related to the Tentative Parcel Map Disapproval for 0 Los Palmos Drive (Vacant) and 795 Foerster Street]**
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 4-lot subdivision located at 0 Los Palmos Drive (vacant), Assessor's Block No. 3027A, Lot No. 116; and 795 Foerster Street, Assessor's Block No. 3027A, Lot No. 117.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, September 30, 2010, at 10:00 a.m. The Chair intends to requests the Committee to send the following items to the Board as a committee report on Tuesday, October 5, 2010.

34. 100906 [Appointment, Police Commission - R. James Slaughter]
Sponsor: Mayor
Motion confirming the Mayor's nomination of, and appointing, R. James Slaughter to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2012.

(Section 4.109 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - August 12, 2010.)

Question: Shall this Motion be APPROVED?

35. 100776 [Reappointment, Planning Commission - Gwyneth Borden]
Motion approving the Mayor's reappointment of Gwyneth Borden to the Planning Commission term ending July 1, 2014. (Clerk of the Board)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 100777. Transmittal date - September 2, 2010.)

Question: Shall this Motion be APPROVED?

36. 101212 [Outside Counsel for Mayoral Succession Issues]
Sponsor: Chiu
Resolution approving the retention of the Office of Santa Clara County Counsel to advise the City, in place of the City Attorney's Office, on legal issues relating to Mayoral succession.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, October 4, 2010, at 1:00 p.m. The Chair intends to requests the Committee to send the following items to the Board as a committee report on Tuesday, October 5, 2010.

37. 101115 **[Directing the Controller to Prepare an Infrastructure Financing Plan]**
Sponsor: Mayor
Resolution authorizing and directing the Controller and his designee to prepare a report for Infrastructure Financing District No. 1 (Rincon Hill Area) and determining other matters related thereto.

Question: Shall this Resolution be ADOPTED?

38. 101116 **[Resolution of Intention to Establish an Infrastructure Financing District]**
Sponsor: Mayor
Resolution of Intention to establish an Infrastructure Financing District No. 1 (Rincon Hill Area) to finance the construction and/or acquisition of capital improvements in the Rincon Hill area; to call a public hearing on the formation of the district and to provide public notice thereof and other matters related thereto.

Question: Shall this Resolution be ADOPTED?

39. 101254 **[Affirmation of Support of San Francisco's Bid for the 34th America's Cup and Endorsement of Host City]**
Sponsors: Mayor; Chiu, Mirkarimi, Dufty, Alioto-Pier, Maxwell and Chu
Resolution supporting the efforts of the City and the San Francisco America's Cup Organizing Committee to bring the 34th America's Cup to the San Francisco Bay and encouraging BMW Oracle Racing and the Golden Gate Yacht Club to select San Francisco as the official Host City for the 34th America's Cup in 2013 and endorsing the Term Sheet For Hosting the 34th America's Cup in San Francisco.

Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 40 through 41

40. 101257 [Condemning the September 24, 2010, FBI Raids]
Sponsors: Mar; Daly
Resolution condemning the September 24, 2010, FBI raids on Trade Union, Anti-War, and Solidarity Activists.

09/28/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 101253 [Grant Application - Department of Public Health - Ryan White HIV Emergency Relief Program - $36,118,233]
Sponsors: Mayor; Dufty
Resolution authorizing the San Francisco Department of Public Health to submit an application to continue to receive funding for the "HIV/AIDS Emergency Relief Grant Programs (Ryan White Programs, Part A)" Grant from the Health Resources Services Administration, requesting $36,118,233 in HIV Emergency Relief Program funding for the San Francisco Eligible Metropolitan Area from March 1, 2011, through February 28, 2012.

09/28/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

42. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from September 21, 2010, to September 27, 2010, for reference by President to appropriate committee on October 5, 2010.

101229 **[Planning Code - Landmark Designation of 1890 Chestnut Street (Marina Branch Library)]**
Ordinance designating 1890 Chestnut Street (Marina Branch Library), Lot No. 001 in Assessor's Block No. 0469, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code Section 101.1 and environmental findings. (Planning Department)

09/23/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

101230 **[Planning Code - Landmark Designation of 2000 Mason Street (North Beach Branch Library)]**
Ordinance designating 2000 Mason Street (North Beach Branch Library), Lot No. 001 in Assessor's Block No. 0074, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code Section 101.1 and environmental findings. (Planning Department)

09/23/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

101231 **[Settlement of Lawsuit - Galliera, Inc. dba Trico Construction - $700,000]**
Ordinance authorizing settlement of the lawsuit filed by Galliera, Inc. dba Trico Construction against the City and County of San Francisco for $700,000; the lawsuit was filed on December 29, 2008, in San Francisco Superior Court, Case No. CGC-08-483555, entitled Galliera, Inc. dba Trico Construction v. City and County of San Francisco, et al.; other material terms of the settlement are: (1) the settlement includes the consolidated action Cal Centurian Construction, Inc. dba RWR Construction v. Galliera, Inc. dba Trico Construction, et al., San Francisco Superior Court, Case No. CGC-09-485849, (2) the settlement includes all cross-complaints, (3) mutual releases except for warranties, guarantees, latent defects, and personal injury, (4) dismissal of all complaints and cross-complaints with prejudice, and (5) each party to bear its own attorneys fees and costs. (City Attorney)

09/27/2010; RECEIVED AND ASSIGNED to the Rules Committee.

101232 **[Settlement of Lawsuit - Jeri D. Sessler - $75,000]**
Ordinance authorizing settlement of the lawsuit filed by Jeri D. Sessler against the City and County of San Francisco for $75,000; the lawsuit was filed on June 3, 2009, in San Francisco Superior Court, Case No. CGC-09-488998; entitled Jeri D. Sessler, et al. v. City and County of San Francisco, et al. (City Attorney)

09/27/2010; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 21, 2010, to September 27, 2010, for reference by President to appropriate committee on October 5, 2010.

101222 **[Settlement of Unlitigated Claim - Lily Martene Baxter - $45,000]**
Resolution approving the settlement of the unlitigated claim filed by Lily Martene Baxter against the City and County of San Francisco for $45,000; claim was filed on February 10, 2010. (City Attorney)

09/21/2010; RECEIVED AND ASSIGNED to the Rules Committee.

101223 **[Settlement of Unlitigated Claim - Adam Feibelman - $55,000]**
Resolution approving the settlement of the unlitigated claim filed by Adam Feibelman against the City and County of San Francisco for $55,000; claim was filed on February 10, 2010. (City Attorney)

09/21/2010; RECEIVED AND ASSIGNED to the Rules Committee.

101224 **[Settlement of Unlitigated Claim - McLarens Young International - $70,000]**
Resolution approving the settlement of the unlitigated claim filed by McLarens Young International against the City and County of San Francisco for $70,000; claim was filed on May 25, 2010. (City Attorney)

09/21/2010; RECEIVED AND ASSIGNED to the Rules Committee.

101225 **[Approving Landfill Disposal and Facilitation Agreements - Department of the Environment - Recology San Francisco]**
Resolution approving a ten-year Landfill Disposal Agreement and Facilitation Agreement with Recology San Francisco under Charter Section 9.118. (Environment)

09/23/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101227 **[Street Artist Spaces - 17th Street at Castro and Market Streets]**
Resolution approving continued designation of eight (8) former temporary selling spaces in "mini-plaza" on 17th Street at Castro and Market Streets for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces from the regulation of Police Code Section 2405(c)(11) relating to distance between street artists. (Arts Commission)

09/24/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

101228 **[Contract Modification - Human Services Agency - Hamilton Family Center - $180,000]**
Resolution concurring with the Human Services Agency's Declaration of Emergency to modify the contract between the City and County of San Francisco and Hamilton Family Center to provide emergency elevator repairs for the family shelter in the amount of $180,000. (Human Services Department)

09/24/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101233 **[Settlement of Unlitigated Claim - Danielle J. Rinsler - $215,000]**
Resolution approving the settlement of the unlitigated claim filed by Danielle J. Rinsler against the City and County of San Francisco for $215,000; Government Code Claim was filed on November 24, 2009, (Govt. Claim No. 10-01422) and California Department of Fair Employment & Housing charge was filed on January 11, 2010, (Charge No. E200910A0351-rsc). (City Attorney)

09/27/2010; RECEIVED AND ASSIGNED to the Rules Committee.

101258 **[Functional Classification Change for Local Streets]**
Resolution approving the Department of Public Works recommended changes to the Functional Classification of local streets and roads and directing the Department to submit this resolution to the State of California, Department of Transportation. (Public Works Department)

09/23/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

101226 [Petitions and Communications]

Petitions and Communications received from September 21, 2010, through September 27, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 5, 2010.

From Mayor Gavin Newsom, submitting notice of appointment, nominating Agnes Briones Ubalde for appointment to the San Francisco Redevelopment Agency Commission. (1)

From Mayor Gavin Newsom, submitting notice of appointment, nominating Rodney Fong for appointment to the San Francisco Planning Commission. (2)

From Department of Public Health, submitting quarterly report to show Laguna Honda and Rehabilitation Center's compliance with the reversal of the Admission Policy priorities that took place February 22, 2005. (3)

From Jay Sath, submitting recommendations following a San Francisco Chronicle story on violence, homelessness, drunks, and drugs along Sixth Street near Market Street. (4)

From Dr. Elizabeth M. Whelan, President, American Council on Science and Health, submitting recommendations to combat childhood obesity, other than targeting McDonald's Happy Meals. File No. 101096 (5)

From Office of the Controller, submitting an economic impact report regarding the alcohol cost recovery fee. File No. 100865 (6)

From concerned citizens, submitting letters of support for the proposed Ocean Avenue Community Benefit District. File No. 100991, 10 letters (7)

From concerned citizen, submitting opposition to the Planning Commission's, Conditional Use Permit to allow Pet Food Express, on property located at 3150 California Street. File No. 101087 (8)

From Alvin Johnson, submitting concern regarding corruption in the Office of the City Attorney and abuse of public record funds. (9)

From James J. Ludwig, submitting concern of increased parking rates forced upon Uptown Parking Corporation by the Parking and Traffic Authority. (10)

From James J. Ludwig, submitting concern of Market Street car restriction experiment. (11)

From Patrick, submitting Examiner article; Health Commission delays vote on outsourcing CPMC hospital's dialysis services. (12)

From Jay Sath, submitting concern of the City's increasing homeless issue and recommending that the City enact a law to make panhandling illegal. (13)

From Arthur Evans, submitting support on Proposition L and opposition to Proposition M. (14)

From Recreation and Park Department, submitting a report of gifts up to $10,000 accepted by the Recreation and Park Department in FY2009-2010. (15)

From Civil Service Commission, submitting a report of the highest prevailing rate of wages of the various crafts and kinds of labor paid in private employment in the City and County of San Francisco. (16)

From Mayor Gavin Newsom, submitting a letter communicating the veto of Establishing an Alcohol Cost Recovery Fee. File No. 100865 (17)

From San Francisco Police Department, submitting Part II of crime statistics data. (18)

From Office of the Mayor, submitting a press release regarding Mayor Newsom's announcement of new City incentives to keep people employed through local Jobs NOW! Program (19)

From Mayor Gavin Newsom, submitting notice of reappointment, nominating Leroy King for reappointment to the San Francisco Redevelopment Agency Commission. (20)

From Human Rights Commission, submitting waiver request form for Chevron USA, Inc. (21)

From Department on the Status of Women, submitting 2009 Directory of Social Services for Women in San Francisco. (22)

From David Gordon, submitting opposition to the alcohol cost recovery fee. File No. 100865 (23)

From concerned citizens, submitting support of bringing the World Cup to San Francisco. 2 letters (24)

From concerned citizen, submitting opposition to extending parking meter hours until 10:00 pm and Sundays. (25)

From Mayor Gavin Newsom, submitting notice of appointment, nominating Francis X. Crowley for appointment to the San Francisco Port Commission. (26)

From Fish and Game Commission, submitting notice of proposed emergency regulatory action relating to incidental take of Mountain yellow-legged frog. (27)

From Samantha Santos, submitting opposition to the Alcohol Cost Recovery Fee. File No. 100865 (28)

From Monica Sain, submitting opposition to proposed legislation, setting nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items. File No. 101096 (29)

From Mary Miles, submitting opposition to the proposed changes to Chapter 31 of the San Francisco Administrative Code. (30)

From Coalition for Better Housing, submitting support of the Parkmerced Vision Project. 3 letters File No. 100979 (31)

From Caltrain, submitting a press release regarding the installation of new suicide prevention signs in recognition of Rail Safety Month in preventing suicides on railroads. (32)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, October 19, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

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First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at http://www.sfbos.org/meetings. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 21

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Elsbernd

1. 101165 **[Accept and Expend Grant - San Francisco Arts Commission - WritersCorps Program - $50,000]**
Sponsor: Mayor
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $50,000 from the National Endowment for the Arts Learning in the Arts for Children and Youth for general operating support for WritersCorps.

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

2. 100528 **[Exempting Certain Nonprofits from Guide Permit Requirement]**
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Police Code by amending Section 1295 to exempt nonprofit organizations conducting educational tours from the requirement to obtain a guide permit.

10/05/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Maxwell

3. 100873 **[Animal Care and Control Welfare Fund – Not to Exceed $50,000]**
Sponsors: Chu; Mar
Ordinance amending the San Francisco Administrative Code, Chapter 10, by amending Section 10.100-23, to change the gift fund category for the Animal Care and Control Welfare Fund, and to authorize the Department of Animal Care and Control to accept gifts of cash, equipment, property, and services not to exceed $50,000.

10/05/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

4. 100188 **[Zoning - 1800 Market Street Community Center Project Special Use District]**
Sponsors: Dufty; Mirkarimi
Ordinance amending the San Francisco Planning Code by adding Section 787 to establish the 1800 Market Street Community Center Project Special Use District for property located at 1800 Market Street (Lot No. 014, Assessor's Block No. 871), located at the northwest corner of Market Street and Octavia Boulevard; amending Sheet No. SU07 of the Zoning Map of the City and County of San Francisco to reflect this new Special Use District; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

10/05/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

5. 100910 **[Settlement of Lawsuit - California Department of Fair Employment and Housing (Zimmerman) - $105,000]**
Ordinance authorizing settlement of the lawsuit filed by the California Department of Fair Employment and Housing (Plaintiff), Linda Zimmerman (Real Party in Interest) against the City and County of San Francisco for $105,000, the lawsuit was filed on March 4, 2009, in San Francisco Superior Court, Case No. CGC-09-485723; entitled Department of Fair Employment and Housing (Zimmerman) v. City and County of San Francisco. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 100911 **[Settlement of Lawsuit - Michael Lew - $90,000]**
Ordinance authorizing settlement of the lawsuit filed by Michael Lew against the City and County of San Francisco for $90,000, including reemployment and restoration of vacation and sick leave; the lawsuit was filed on May 11, 2009, in San Francisco Superior Court, Case No. CGC-09-488262; entitled Michael Lew v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 100959 **[Settlement of Lawsuit - Carlos Garcia - $2,400,000]**
Ordinance authorizing settlement of the lawsuit filed by Carlos Garcia against the City and County of San Francisco for $2,400,000; the lawsuit was filed on December 5, 2005, in San Francisco Superior Court, Case No. CGC-05-447342; entitled Carlos Garcia, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 100912 **[Settlement of Lawsuit - Robin Leiter Cohen - $31,000]**
Resolution approving the settlement of the unlitigated claim filed by Robin Leiter Cohen against the City and County of San Francisco for $31,000; claim was filed on September 4, 2009. (City Attorney)

Question: Shall this Resolution be ADOPTED?

9. 100985 **[Settlement of Anticipated Litigation - Bonneville Non-Exclusive Easement]**
Resolution authorizing settlement of anticipated litigation to be filed by Bonneville International Corporation against the City and County of San Francisco for a non-exclusive easement on Bayview Hill for access to the radio tower owned by Bonneville. (City Attorney)

Question: Shall this Resolution be ADOPTED?

10. 101003 **[Settlement of Grievance - Bruce Dunlap - $57,500]**
Resolution authorizing the settlement of the grievances (ERD No. 45-09-1973 and ERD No. 45-09-1964) filed by International Federation of Professional and Technical Engineers, Local 21 (Union) on behalf of Grievant, Bruce Dunlap, against the City and County of San Francisco for $57,500. (City Attorney)

Question: Shall this Resolution be ADOPTED?

11. 101133 **[Appointments, Assessment Appeals Board No. 1 - Jeffrey Morris and Gregory Blaine]**
Motion appointing Jeffrey Morris and Gregory Blaine, terms ending September 2, 2013, to the Assessment Appeals Board No. 1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

12. 101134 **[Appointments, Assessment Appeals Board No. 2 - Margaret Ruxton and Alfredo Perez]**
Motion appointing Margaret Ruxton and Alfredo Perez, terms ending September 2, 2013, to the Assessment Appeals Board No. 2. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

13. 101146 **[Appointment, Commission on the Aging Advisory Council - Ken Prag]**
Motion appointing Ken Prag, term ending March 31, 2012, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Present: Supervisors Alioto-Pier, Mar, Chiu

14. 101231 **[Settlement of Lawsuit - Galliera, Inc. dba Trico Construction - $700,000]**
Ordinance authorizing settlement of the lawsuit filed by Galliera, Inc. dba Trico Construction against the City and County of San Francisco for $700,000; the lawsuit was filed on December 29, 2008, in San Francisco Superior Court, Case No. CGC-08-483555, entitled Galliera, Inc. dba Trico Construction v. City and County of San Francisco, et al.; other material terms of the settlement are: (1) the settlement includes the consolidated action Cal Centurian Construction, Inc. dba RWR Construction v. Galliera, Inc. dba Trico Construction, et al., San Francisco Superior Court, Case No. CGC-09-485849, (2) the settlement includes all cross-complaints, (3) mutual releases except for warranties, guarantees, latent defects, and personal injury, (4) dismissal of all complaints and cross-complaints with prejudice, and (5) each party to bear its own attorneys fees and costs. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 101232 **[Settlement of Lawsuit - Jeri D. Sessler - $75,000]**
Ordinance authorizing settlement of the lawsuit filed by Jeri D. Sessler against the City and County of San Francisco for $75,000; the lawsuit was filed on June 3, 2009, in San Francisco Superior Court, Case No. CGC-09-488998; entitled Jeri D. Sessler, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 101222 **[Settlement of Unlitigated Claim - Lily Martene Baxter - $45,000]**
Resolution approving the settlement of the unlitigated claim filed by Lily Martene Baxter against the City and County of San Francisco for $45,000; claim was filed on February 10, 2010. (City Attorney)

Question: Shall this Resolution be ADOPTED?

17. 101223 **[Settlement of Unlitigated Claim - Adam Feibelman - $55,000]**
Resolution approving the settlement of the unlitigated claim filed by Adam Feibelman against the City and County of San Francisco for $55,000; claim was filed on February 10, 2010. (City Attorney)

Question: Shall this Resolution be ADOPTED?

18. 101224 **[Settlement of Unlitigated Claim - McLarens Young International - $70,000]**
Resolution approving the settlement of the unlitigated claim filed by McLarens Young International against the City and County of San Francisco for $70,000; claim was filed on May 25, 2010. (City Attorney)

Question: Shall this Resolution be ADOPTED?

19. 101233 **[Settlement of Unlitigated Claim - Danielle J. Rinsler - $215,000]**
Resolution approving the settlement of the unlitigated claim filed by Danielle J. Rinsler against the City and County of San Francisco for $215,000; Government Code Claim was filed on November 24, 2009, (Govt. Claim No. 10-01422) and California Department of Fair Employment & Housing charge was filed on January 11, 2010, (Charge No. E200910A0351-rsc). (City Attorney)

Question: Shall this Resolution be ADOPTED?

20. 101243 **[Appointments, Treasure Island Development Authority Citizen Advisory Board - James Heid and Scott Vedro]**
Motion appointing James Heid and Scott Vedro, for indefinite terms, to the Treasure Island Development Authority Citizen Advisory Board. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

21. 101264 **[Appointments, San Francisco Health Authority - Randall Low and Maria Luz Torre]**
Motion appointing Randall Low, term ending January 15, 2012, and Maria Luz Torre, term ending January 15, 2013, to the San Francisco Health Authority. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

22. 101103 **[Appropriating $2,188,777 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for FY2009-2010]**
Sponsor: Mayor
Ordinance appropriating $2,188,777 of General Fund Reserve to fund indigent defense expenses associated with increased felony caseloads in the Superior Court for FY2009-2010, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113.

(Fiscal Impact.)

10/05/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

23. 101178 **[Honoring Local Restaurants During Restaurant Appreciation Month]**
Sponsors: Alioto-Pier; Mar
Ordinance amending the San Francisco Health Code by adding Section 456.7 requiring the San Francisco Health Department to declare one month out of the year "Restaurant Appreciation Month" to honor certain local restaurants and to create an application and selection process to identify qualifying restaurants.

10/05/2010; AMENDED.

10/05/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Mar

24. 100472 **[Access Appeals Commission - Notice to the Mayor's Office of Disability]**
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Building Code by adding Section 105A.3.10 to require that an agenda and packet of materials for each matter to be decided by the Access Appeals Commission shall be sent to the Mayor's Office of Disability at the same time and in the same manner as they are sent to the Commission members.

09/14/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Elsbernd

25. 101104 **[Public Employment - Department of the Environment]**
Sponsor: Mayor
Ordinance amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of two positions: one (1) Class 5640 Environmental Specialist, one (1) Class 5644 Environmental Manager in the Department of the Environment.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 101154 **[Accept and Expend Grant - Office of the Public Defender - Rosenberg Foundation and Amendment to the Annual Salary Ordinance FY2010-2011 - $47,000]**
Sponsor: Mirkarimi
Ordinance authorizing the Office of the Public Defender to accept and expend a grant in the amount of $47,000 from the Rosenberg Foundation, via Institute for Local Governance, to develop a California Reentry Council Network to assist in the development of statewide capacity to improve reentry policies and programs, and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect addition of one (1) temporary Class 8173 Legal Assistant, grant-funded position (0.55 FTE), in the Office of the Public Defender.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 101159 **[Taxable and/or Tax Exempt Certificates of Participation for Various Capital Improvements - Not to Exceed $48,000,000]**

Sponsor: Mayor

Ordinance authorizing the execution and delivery of Certificates of Participation in an aggregate principal amount not to exceed $48,000,000 to finance the acquisition, construction, improvement and installation of certain street improvements and of various disability access improvement projects; approving the form of a Second Supplement to Trust Agreement between the City and County of San Francisco and the Trustee named therein (including certain indemnities contained therein); approving the form of a Second Supplement to Property Lease between the City, as lessor, and the Trustee, as lessee; approving the form of a Second Supplement to Project Lease between the Trustee, as lessor, and the City, as lessee; approving the form of an Official Notice of Sale and Notice of Intention to Sell for the Certificates of Participation, if sold by competitive sale; authorizing certain actions relating to the Certificates of Participation, if sold by negotiated sale; delegating to the Director of Public Finance the authority to sell the Certificates of Participation by either a competitive or negotiated sale; approving the form of a Purchase Contract between the City and the underwriter(s) selected in accordance herewith, if the Certificates of Participation are sold by negotiated sale; approving the form of an official statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 101158 **[Taxable and/or Tax Exempt Certificates of Participation (HOPE SF) - Not to Exceed $38,000,000]**

Sponsor: Mayor

Ordinance authorizing the execution and delivery of Taxable and/or Tax Exempt Certificates of Participation (HOPE SF) in an aggregate principal amount not to exceed $38,000,000 to finance certain capital improvement projects; approving the form of a Trust Agreement between the City and County of San Francisco and the trustee (including certain indemnities contained therein); granting authorization for the selection of a trustee; approving the form of a Property Lease between the City and the Trustee named therein relating to certain property generally known as the Mission Police Station, certain property generally known as the Bayview Station of the San Francisco Police Department and certain other City-owned property; approving the form of a Project Lease between the City and the Trustee (including certain indemnities contained therein); delegating to the Director of Public Finance the authority to sell the Certificates of Participation by either a competitive or negotiated sale; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Taxable and/or Tax Exempt Certificates of Participation (HOPE SF), if sold by competitive sale; authorizing certain actions relating to the Taxable and/or Tax Exempt Certificates of Participation (HOPE SF), if sold by negotiated sale including approving the form of a Purchase Contract between the City and an underwriter named therein; approving the form of an Official Statement in preliminary form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Taxable and/or Tax Exempt Certificates of Participation (HOPE SF); approving modifications to documents; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 101192 **[Appropriating $38,000,000 of Certificate of Participation Proceeds for the HOPE SF Development Project in the Mayor's Office of Housing for FY2010-2011]**

Sponsors: Mayor; Maxwell

Ordinance appropriating $38,000,000 of Certificate of Participation Series 2011B proceeds to fund the HOPE SF Development Project sponsored by Hunters View Associates in the Mayor's Office of Housing for FY2010-2011 and placing these funds on Controller's reserve pending issuance of the COPs or associated commercial paper used for cash flow purposes in FY2010-2011.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 100692 **[Lease of Port Real Property - Pier 26 Annex]**

Resolution approving Port Commission Lease No. L-14796 with IDEO, LLC for office space located at Pier 26 Annex within the Southern Waterfront with a sixty month term and a sixty month option. (Port)

Question: Shall this Resolution be ADOPTED?

31. 100984 **[Public Utilities Commission - Memorandum of Agreement with the National Park Service - Not to Exceed $27,486,504]**

Resolution approving the Memorandum of Agreement with the National Park Service for the Comprehensive Management of Yosemite National Park Watersheds that supply water to the San Francisco Regional Water System pursuant to Charter Section 9.118. (Public Utilities Commission)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

32. 101150 **[Real Estate Department - Agreement to Exchange Easements in Connection with the Bay Division Pipeline Reliability Upgrade Project - Bay Tunnel]**

Resolution approving and authorizing an Agreement to Exchange Interests in Real Property to obtain an exclusive, subsurface easement from the Midpeninsula Regional Open Space District in exchange for a non-exclusive open space easement over real property owned by the City and County of San Francisco, for the purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Bay Tunnel; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications, and take certain actions in furtherance of this resolution. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

33. 101166 **[Amendment to Fire Department Cooperative Agreement with the Navy]**
Sponsor: Mayor
Resolution authorizing the San Francisco Fire Department to amend the Cooperative Agreement with the United States Navy to set the reimbursement rate for fire and emergency medical services to portions of the Hunters Point Shipyard for the period October 1, 2010, through September 30, 2011, and to accept and expend funds from the Navy as reimbursement for services under that Agreement.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

34. 101167 **[Accept and Expend Grant - Mayor's Office of Housing - Infill Infrastructure Program - $30,000,000]**
Sponsor: Mayor
Resolution authorizing the Mayor's Office of Housing to enter into a standard agreement with the California State Department of Housing and Community Development to accept and expend $30,000,000 of Infill Infrastructure Grant Program funds; the execution of a loan agreement with the Project Sponsor for disbursement of grant funds; and the execution of any related documents necessary to participate in the Infill Infrastructure Grant Program.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Avalos, Elsbernd

35. 101201 **[Petitions for City Parcels to Form the Proposed Civic Center Community Benefit District]**
Sponsor: Mayor
Resolution authorizing the Mayor to cast petitions in the affirmative for formation of the proposed Civic Center Community Benefit District, to sign on behalf of the City and County of San Francisco as the owner of certain parcels of real property that would be subject to assessment in the proposed property and business improvement district to be named the Civic Center Community Benefit District.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

36. 100881 **[Zoning Map Amendment - 1717-17th Street to Conform with Lot Line Adjustment]**

Sponsor: Maxwell

Ordinance amending the San Francisco Zoning Map by amending the lot reference applicable to 1717-17th Street, and an adjacent property, referred to as 495 DeHaro Street, so that the height district applicable to each lot in its entirety is 48-X and 45-X, respectively, in conformance with a lot line adjustment between the subject properties; and making various findings, including environmental findings, and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 100917 **[Planning Code Amendments - Area Plan Impact Fee and Jobs-Housing Linkage Program]**

Ordinance amending the San Francisco Planning Code sections related to Area Plan Impact Fees (Rincon Hill, Market and Octavia, Eastern Neighborhoods, and Balboa Park) and Jobs-Housing Linkage Fee to (1) improve Planning Code readability and ease of application with regard to impact fees; (2) create consistent definitions and application across the Area Plan Impact Fee and Jobs-Housing Linkage Fee provisions; (3) better recognize and account for the impact of existing conditions of development sites affected by the Area Plan Impact Fees and the Jobs-Housing Linkage Fee; (4) promote adaptive re-use of existing buildings in the Eastern Neighborhoods; and (5) clarify the impact fees associated with the Eastern Neighborhoods' on-going "legitimization" program; and adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 101096 **[Setting Nutritional Standards for Restaurant Food Sold Accompanied by Toys or Other Youth Focused Incentive Items]**

Sponsors: Mar; Campos, Chiu and Avalos

Ordinance amending Article 8 of the San Francisco Health Code by adding Sections 471.1 through 471.8, to set nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items.

Question: Shall this Ordinance be PASSED ON FIRST READING?

39. 101200 **[Planning Code - Preservation, Rehabilitation and Maintenance of Preservation Lots; Zoning Map and General Plan Map Amendments - 680 California Street (Old St. Mary's Cathedral)]**

Sponsors: Chiu and Maxwell

Ordinance amending Section 128 of the San Francisco Planning Code to require approval of a plan for preservation, rehabilitation, and maintenance of a Preservation Lot property prior to receipt of a Statement of Eligibility for Transferable Development Rights (TDR), to establish reporting procedures regarding the preservation, rehabilitation, and maintenance, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block No. 0241, Lot Nos. 011 and 012, from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

09/21/2010; DUPLICATED. See File No. 100851.

09/21/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

09/21/2010; RE-REFERRED to the Land Use and Economic Development Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

40. 100963 **[Healthy Nail Salon Recognition Program]**

Sponsors: Chiu; Maxwell, Alioto-Pier, Chu and Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Chapter 27, Sections 27.1 through 27.6, to create a program to recognize nail salons that use nail polishes free of the toxic chemicals toluene, dibutyl phthalate, and formaldehyde.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mar, Chiu

41. 101008 **[Centralized and Publicly Accessible Online Database of Appointments to Advisory Bodies]**

Sponsors: Chiu; Chu, Alioto-Pier and Mar

Ordinance amending the San Francisco Administrative Code by adding Sections 1.57-1 through 1.57-5, to provide for the establishment and maintenance of a centralized and publicly accessible online database of information concerning appointments made by Appointing Authorities to City and County of San Francisco advisory bodies.

Supervisors Alioto-Pier and Mar requested to be added as co-sponsors.

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. 100995 **[Appointment, City Hall Preservation Advisory Commission - Maureen "Pat" Kelley]**
Resolution confirming the appointment of Maureen "Pat" Kelley to the City Hall Preservation Advisory Commission. (Mayor)

Question: Shall this Resolution be ADOPTED?

43. 100778 **[Reappointment, Public Utilities Commission - Anson Moran]**
Motion confirming the Mayor's reappointment of Anson Moran to the Public Utilities Commission, Seat 4, term ending August 1, 2014. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

44. 100905 **[Appointment, San Francisco Redevelopment Agency - Rosario Anaya]**
Sponsor: Mayor
Motion confirming the Mayor's appointment of Rosario Anaya to the San Francisco Redevelopment Agency for the unexpired portion of a four-year term ending September 3, 2011.

Question: Shall this Motion be APPROVED?

Present: Supervisors Alioto-Pier, Chiu

45. 101261 **[Appointment, Association of Bay Area Governments Executive Board - Supervisor Eric Mar]**
Motion appointing Supervisor Eric Mar, term ending June 30, 2012, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

46. 101041 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 10 Bernal Heights Boulevard]

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 1, 2010, Determination of Exemption from Environmental Review identified as Planning Case No. 2010.0306C, by its Motion No. 18131, which included the exemption determination, that a project located at 10 Bernal Heights Boulevard is exempt from environmental review under California Environmental Quality Act (CEQA) Guidelines Sections 15301 Class (1), 15303 (Class 3), and 15311 (Class 11), to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park within an RH-1(D) (Residential, House, Single-Family, Detached) Zoning District and a 40-X Height and Bulk District, on property located at 10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548. (District 9) (Appellant: Erick Arguello on behalf of the Lower 24th Street Merchant Association.)

(Filed August 2, 2010; Companion Measure to File Nos. 101042, 101043, 101044.)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

47. 101042 **[Affirming the Exemption Determination for 10 Bernal Heights Boulevard]**
Motion affirming the determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review. (Clerk of the Board)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

48. 101043 **[Reversing the Exemption Determination Issued for 10 Bernal Heights Boulevard]**
Motion reversing the determination by the Planning Commission that the 10 Bernal Heights Boulevard project is exempt from environmental review. (Clerk of the Board)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

49. 101044 **[Preparation of Findings to Reverse the Exemption Determination for the 10 Bernal Heights Boulevard Project]**
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review. (Clerk of the Board)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

50. 101045 **[Public Hearing - Conditional Use Appeal for 10 Bernal Heights Boulevard]**
Hearing of persons interested in or objecting to the decision of the Planning Commission's July 1, 2010, Conditional Use Permit identified as Planning Case No. 2010.0306C, by its Motion No. 18131, under Planning Code Sections 209.6(b) and 303, to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park and to modify the Conditional Use approval under Case No. 2008.1157C to change the number of allowed antennas on the site within the RH-1(D) (Residential, House, Single-Family, Detached) Zoning District, and a 40-X Height and Bulk District, on property located at 10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548. (District 9) (Filed by Erick Arguello on behalf of the Lower 24th Street Merchant Association, and subscribed by Supervisors Campos, Mar, Chiu, Chu, Mirkarimi, and Avalos.)

(Filed August 2, 2010; Companion Measure to File Nos. 101046, 101047, 101048.)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

51. 101046 **[Approving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]**
Motion approving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application No. 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

52. 101047 **[Disapproving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]**
Motion disapproving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

53. 101048 **[Preparation of Findings Related to the Conditional Use Appeal for 10 Bernal Heights Boulevard]**
Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Application No. 2010.0306C on property located at 10 Bernal Heights Boulevard. (Clerk of the Board)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, October 18, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, October 19, 2010.

54. 101115 **[Directing the Controller to Prepare an Infrastructure Financing Plan]**
Sponsor: Mayor
Resolution authorizing and directing the Controller and his designee to prepare a report for Infrastructure Financing District No. 1 (Rincon Hill Area) and determining other matters related thereto.

Question: Shall this Resolution be ADOPTED?

55. 101116 **[Resolution of Intention to Establish an Infrastructure Financing District]**
Sponsor: Mayor
Resolution of Intention to establish an Infrastructure Financing District No. 1 (Rincon Hill Area) to finance the construction and/or acquisition of capital improvements in the Rincon Hill area; to call a public hearing on the formation of the district and to provide public notice thereof and other matters related thereto.

Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 56 through 64

56. 101257 [Condemning the September 24, 2010, FBI Raids]
Sponsors: Mar; Daly and Campos
Resolution condemning the September 24, 2010, FBI raids on Trade Union, Anti-War, and Solidarity Activists.

09/28/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

10/05/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

57. 101273 **[Accept and Expend Grant - Department of Public Library - Staff Education Program - $10,512]**
Sponsor: Chu
Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $10,512 from the California State Library as part of the Federal Library Services and Technology Act for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

58. 101274 **[Accept and Expend Grant - Arts Commission - Koret Foundation for ArtCare Program - $15,000]**
Sponsor: Dufty
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $15,000 from the Koret Foundation for general operating support of the ArtCare program.

10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

59. 101276 **[Preventing Bullying and Suicide of Lesbian, Gay, Bisexual, Transgender and Question (LGBTQ) Youth]**
Sponsors: Campos; Dufty and Alioto-Pier
Resolution affirming the importance of maintaining a safety net for LGBTQ youth, and encouraging schools, colleges, and universities to prevent bullying and raise awareness about LGBTQ suicide prevention services.

10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

60. 101278 **[Proclaiming November 5, 2010, as Angels in America Day]**
Sponsors: Dufty; Campos
Resolution proclaiming November 5, 2010, as Angels in America Day in San Francisco to recognize the tremendous worldwide impact Tony Kushner's play has had since it first premiered at San Francisco's Eureka Theater in 1991.

10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

61. 101279 [Accept and Expend Grant - Arts Commission - Tulsa Community Foundation for ArtCare Program - $5,000]

Sponsor: Dufty

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $5,000 from the Tulsa Community Foundation for general operating support of the ArtCare program.

10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

62. 101280 [Supporting Greenhouse Gas Reduction Targets]

Sponsor: Mar

Resolution supporting the California Air Resources Board's leadership in developing and implementing strategies for meeting California's greenhouse gas reduction targets, and in promoting emission reductions from motor vehicles.

10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

63. 101281 [Issuance and Sale of Revenue Bonds - 2235-3rd Street Apartments - Not to Exceed $60,000,000]

Sponsor: Maxwell

Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments Finance Authority For Nonprofit Corporations in an aggregate principal amount not to exceed $60,000,000 for financing the acquisition, construction and rehabilitation of 2235-3rd Street Apartments, subject to the policies for such approvals adopted by the Board of Supervisors.

10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

64. 101277 [Waiver Permitting City Employees to Assist the Department of Elections with the November 2, 2010, Consolidated General Election]

Sponsor: Chiu

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 2, 2010, Consolidated General Election.

10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

65. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from September 28, 2010, to October 8, 2010, for reference by President to appropriate committee on October 19, 2010.

101288 **[Settlement of Lawsuit - Cheryl Austin - $268,452]**
Ordinance authorizing settlement of the lawsuit filed by Cheryl Austin against the City and County of San Francisco for $268,452, inclusive of attorneys' fees and costs; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC 10-498110; entitled Cheryl Austin v. City and County of San Francisco. (City Attorney)

10/06/2010; RECEIVED AND ASSIGNED to the Rules Committee.

101289 **[Settlement of Lawsuit - Nyree Monroe - Up to $31,000]**
Ordinance authorizing settlement of the lawsuit filed by Nyree Monroe against the City and County of San Francisco for up to $31,000; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC 10-498109; entitled Nyree Monroe v. City and County of San Francisco; other material terms of said settlement are reinstatement. (City Attorney)

10/06/2010; RECEIVED AND ASSIGNED to the Rules Committee.

101290 **[Settlement of Lawsuit - Edward Kriete - $575,000]**
Ordinance authorizing settlement of the lawsuit filed by Edward Kriete against the City and County of San Francisco for $575,000; the lawsuit was filed on April 17, 2009, in the San Francisco Superior Court, Case No. CGC 09-487483, entitled Edward Kriete v. City and County of San Francisco. (City Attorney)

10/06/2010; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 28, 2010, to October 8, 2010, for reference by President to appropriate committee on October 19, 2010.

101291 **[Endorsement of Term Sheet - Port Commission - Seawall Lot 351/8 Washington Project at Washington/The Embarcadero]**
Resolution endorsing the proposed Seawall Lot 351/8 Washington Project at Washington/The Embarcadero Term Sheet between San Francisco Waterfront Partners II, LLC and the San Francisco Port Commission. (Port)

10/06/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101294 **[Airport Professional Services Agreement - Curbside Management Program - Not to Exceed $26,000,000]**
Resolution approving the Professional Services Agreement, Airport Contract 8994 - to Manage and Staff the Curbside Management Program between FSP PPM Management, LLC and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $26,000,000, pursuant to San Francisco Charter Section 9.118(b). (Airport Commission)

10/07/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101298 **[Gift Acceptance - Police Department - Two Automobiles from KKI Productions - $31,239.30]**
Resolution authorizing the San Francisco Police Department to accept as gifts from KKI Productions a 2007 Honda Accord with mileage of 33,681 valued at $15,571.44 and a 2008 Toyota Corolla S-Type with mileage of 32,518 valued at $15,667.86. These automobiles will be placed into the general fleet of vehicles assigned to the San Francisco Police Department.

10/08/2010; RECEIVED AND ASSIGNED to the City Operations and Neighborhood Services Committee.

101295 [Petitions and Communications]

Petitions and Communications received from September 28, 2010, through October 8, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 19, 2010.

From Southeast Community Facility Commission, submitting their Annual Statement of Purpose and Annual Report for FY2009-2010. (1)

From U.S. Senator Dianne Feinstein, submitting support for comprehensive immigration reform. Copy: Each Supervisor (2)

From concerned citizens, submitting opposition to the sheer number of chain stores spreading all over the small shopping neighborhoods of San Francisco. 2 letters (3)

From Abdalla Megahed, regarding his complaint against the building manager at 990 Polk Street. Copy: Each Supervisor (4)

From Human Rights Commission, submitting request for waiver of Administrative Code Chapter 12B for Holiday Inn Golden Gateway. (5)

From Office of the Treasurer and Tax Collector, submitting their investment activity for fiscal year-to-date of the portfolios under the Treasurer's management. Copy: Each Supervisor (6)

From Aaron Goodman, regarding the Parkmerced Project. 2 letters (7)

From Department of Public Health, regarding the Ryan White HIV Emergency Relief Program. File No. 101253, Copy: Each Supervisor (8)

From Office of the Controller, submitting the concession audit report of Paradies Shops. Paradies Shops has three lease agreements with the Airport Commission. (9)

From Mordicai McGuire, regarding spending $450,000 to build a wheelchair ramp in the Board of Supervisors Legislative Chamber. Copy: Each Supervisor (10)

From S.F. Environment, submitting the 2009 Annual Report for the Green Purchasing Program for City Staff. (11)

From Clerk of the Board, the Office of Economic and Workforce Development has submitted their 2010 Local Agency Biennial Notices. (12)

From Fire Department, submitting an update on the utility infrastructure safety review. (13)

From James Corrigan, regarding Fire Chief Hayes-White and Chief Gardner. (14)

From Bob Larive, regarding the homeless people in the Fisherman Wharf area. (15)

From Steve, submitting opposition to expanding parking meter hours and/or Sunday metering. (16)

From Susan Ruhne, submitting support for San Francisco's bid for the 34th America's Cup and endorsement of Host City. File No. 101254, 2 letters (17)

From Sunshine Ordinance Task Force, submitting their Annual Report for FY2009-2010. (18)

From Office of the Controller, submitting their August Monthly Overtime Report. (19)

From General Services Agency, Risk Management Division, submitting their Indemnification Quarterly Report for November 2008 through September 2010. Copy: Each Supervisor (20)

From Residential Rent Stabilization and Arbitration Board, submitting their Annual Statistical Report for FY2009-2010. (21)

From Department of Public Health, submitting their 2010 Annual Title XV Evaluation Report for San Francisco Detention Facilities. Copy: Each Supervisor (22)

From T-Mobile, submitting notification of eight cellular antennas to be installed at 482 Grand View Drive. (23)

From T-Mobile, submitting notification of six cellular antennas to be installed at 555 Market Street. (24)

From Office of the Controller, submitting the concession audit report of Smarte Carte. Smarte has a lease agreement with the Airport Commission. (25)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to the Mountain Yellow-Legged Frog. (26)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to the Pacific Fisher. (27)

From Fire Department, regarding a Matier and Ross article written on September 5, 2010. (28)

From Office of the Mayor, submitting the appointment of Michael Kim to the Port Commission. Copy: Each Supervisor, Rules Committee Clerk, City Attorney (29)

From U.S. Environmental Protection Agency, submitting an advance copy of the legal advertisement that the Environmental Protection Agency (EPA) will be publishing regarding the EPA's tentative decision to authorize California for revisions to its hazardous waste regulations. Copy: Each Supervisor (30)

From Police Department, thanking the Board of Supervisors for hearing the appeal objecting the Planning Commission's approval of a new Conditional Use for entertainment at 1268 Grant Avenue. File No. 101135, Copy: Each Supervisor (31)

From Cheryl Richard, submitting support for banning the use of pesticides and herbicides on all city-owned lands. (32)

From concerned citizens, submitting opposition to an alcohol cost recovery fee. File No. 10865, 2 letters (33)

From Greg Patterson, submitting opposition to some specifics of the 222 2nd Street project plan. File No. 101031, Copy: Each Supervisor (34)

From concerned citizens, submitting opposition to the 222 2nd Street plan. File No. 101031, 3 letters (35)

From Kimo Crossman, regarding the San Francisco Chronicle using the pejorative "illegals" on October 5, 2010, regarding undocumented immigrants. (36)

From Municipal Transportation Agency, regarding the required right- turn pilot project on eastbound Market Street. (37)

From Sanitary Truck Drivers and Helpers, Local 350, submitting opposition to resolution approving a ten-year landfill disposal facilitation agreement with Recology San Francisco. File No. 101225, Copy: Budget and Finance Committee Members and Committee Clerk (38)

From Department of Public Health, regarding resolution authorizing the Department of Public Health to apply for the HIV Emergency Relief Grant Program. File No. 101253, Copy: Each Supervisor (39)

From Department of Public Health, regarding October 2010 as Restaurant Appreciation Month. (40)

From James Corrigan, regarding parking control officers not issuing tickets to fire department personnel who double park their private vehicles in Chinatown. (41)

From Chris Barker, regarding World Statistics Day on October 20, 2010. (42)

From Tim Giangiobbe, regarding the need for more single room occupancy (SRO) hotels in San Francisco. (43)

From Juliann Sum, regarding the economic recovery in San Francisco. (44)

From Lee Goodin, submitting Cowboy Bob's Bum Report. (45)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT DOCUMENTS DEPT
OCT 2 1 2010
SAN FRANCISCO PUBLIC LIBRARY

Tuesday, October 26, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at http://www.sfbos.org/meetings. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the September 14 2010, and September 21, 2010, Board Meeting Minutes.

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the Board Meeting on the third Tuesday of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 15

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Elsbernd

1. 101104 [Public Employment - Department of the Environment]
Sponsor: Mayor
Ordinance amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of two positions: one (1) Class 5640 Environmental Specialist, one (1) Class 5644 Environmental Manager in the Department of the Environment.

(Fiscal Impact.)

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 101154 [Accept and Expend Grant - Office of the Public Defender - Rosenberg Foundation and Amendment to the Annual Salary Ordinance FY2010-2011 - $47,000]
Sponsor: Mirkarimi
Ordinance authorizing the Office of the Public Defender to accept and expend a grant in the amount of $47,000 from the Rosenberg Foundation, via Institute for Local Governance, to develop a California Reentry Council Network to assist in the development of statewide capacity to improve reentry policies and programs, and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect addition of one (1) temporary Class 8173 Legal Assistant, grant-funded position (0.55 FTE), in the Office of the Public Defender.

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 101159 **[Taxable and/or Tax Exempt Certificates of Participation for Various Capital Improvements - Not to Exceed $48,000,000]**

Sponsor: Mayor

Ordinance authorizing the execution and delivery of Certificates of Participation in an aggregate principal amount not to exceed $48,000,000 to finance the acquisition, construction, improvement and installation of certain street improvements and of various disability access improvement projects; approving the form of a Second Supplement to Trust Agreement between the City and County of San Francisco and the Trustee named therein (including certain indemnities contained therein); approving the form of a Second Supplement to Property Lease between the City, as lessor, and the Trustee, as lessee; approving the form of a Second Supplement to Project Lease between the Trustee, as lessor, and the City, as lessee; approving the form of an Official Notice of Sale and Notice of Intention to Sell for the Certificates of Participation, if sold by competitive sale; authorizing certain actions relating to the Certificates of Participation, if sold by negotiated sale; delegating to the Director of Public Finance the authority to sell the Certificates of Participation by either a competitive or negotiated sale; approving the form of a Purchase Contract between the City and the underwriter(s) selected in accordance herewith, if the Certificates of Participation are sold by negotiated sale; approving the form of an official statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

4. 100881 **[Zoning Map Amendment - 1717-17th Street to Conform with Lot Line Adjustment]**

Sponsor: Maxwell

Ordinance amending the San Francisco Zoning Map by amending the lot reference applicable to 1717-17th Street, and an adjacent property, referred to as 495 DeHaro Street, so that the height district applicable to each lot in its entirety is 48-X and 45-X, respectively, in conformance with a lot line adjustment between the subject properties; and making various findings, including environmental findings, and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 100917 [Planning Code Amendments - Area Plan Impact Fee and Jobs-Housing Linkage Program]

Sponsor: Avalos

Ordinance amending the San Francisco Planning Code sections related to Area Plan Impact Fees (Rincon Hill, Market and Octavia, Eastern Neighborhoods, and Balboa Park) and Jobs-Housing Linkage Fee to (1) improve Planning Code readability and ease of application with regard to impact fees; (2) create consistent definitions and application across the Area Plan Impact Fee and Jobs-Housing Linkage Fee provisions; (3) better recognize and account for the impact of existing conditions of development sites affected by the Area Plan Impact Fees and the Jobs-Housing Linkage Fee; (4) promote adaptive re-use of existing buildings in the Eastern Neighborhoods; and (5) clarify the impact fees associated with the Eastern Neighborhoods' on-going "legitimization" program; and adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 101200 [Planning Code - Preservation, Rehabilitation and Maintenance of Preservation Lots; Zoning Map and General Plan Map Amendments - 680 California Street (Old St. Mary's Cathedral)]

Sponsors: Chiu and Maxwell

Ordinance amending Section 128 of the San Francisco Planning Code to require approval of a plan for preservation, rehabilitation, and maintenance of a Preservation Lot property prior to receipt of a Statement of Eligibility for Transferable Development Rights (TDR), to establish reporting procedures regarding the preservation, rehabilitation, and maintenance, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block No. 0241, Lot Nos. 011 and 012, from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

09/21/2010; DUPLICATED. See File No. 100851.

09/21/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

09/21/2010; RE-REFERRED to the Land Use and Economic Development Committee.

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 101258 [Functional Classification Change for Local Streets]

Resolution approving the Department of Public Works recommended changes to the Functional Classification of local streets and roads and directing the Department to submit this resolution to the State of California, Department of Transportation. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

8. 100963 **[Healthy Nail Salon Recognition Program]**
Sponsors: Chiu; Maxwell, Alioto-Pier, Chu, Mirkarimi, Mar and Campos
Ordinance amending the San Francisco Administrative Code by adding Chapter 27, Sections 27.1 through 27.6, to create a program to recognize nail salons that use nail polishes free of the toxic chemicals toluene, dibutyl phthalate, and formaldehyde.

10/19/2010: PASSED, ON FIRST READING

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

9. 100472 **[Access Appeals Commission - Notice to the Mayor's Office of Disability]**
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Building Code by adding Section 105A.3.10 to require that an agenda and packet of materials for each matter to be decided by the Access Appeals Commission shall be sent to the Mayor's Office of Disability at the same time and in the same manner as they are sent to the Commission members.

09/14/2010: CONTINUED ON FIRST READING.

10/19/2010: PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Campos, Alioto-Pier, Mar

10. 100910 **[Settlement of Lawsuit - California Department of Fair Employment and Housing (Zimmerman) - $105,000]**
Ordinance authorizing settlement of the lawsuit filed by the California Department of Fair Employment and Housing (Plaintiff), Linda Zimmerman (Real Party in Interest) against the City and County of San Francisco for $105,000, the lawsuit was filed on March 4, 2009, in San Francisco Superior Court, Case No. CGC-09-485723; entitled Department of Fair Employment and Housing (Zimmerman) v. City and County of San Francisco. (City Attorney)

10/19/2010: PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 100911 [Settlement of Lawsuit - Michael Lew - $90,000]
Ordinance authorizing settlement of the lawsuit filed by Michael Lew against the City and County of San Francisco for $90,000, including reemployment and restoration of vacation and sick leave; the lawsuit was filed on May 11, 2009, in San Francisco Superior Court, Case No. CGC-09-488262; entitled Michael Lew v. City and County of San Francisco, et al. (City Attorney)

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 100959 [Settlement of Lawsuit - Carlos Garcia - $2,400,000]
Ordinance authorizing settlement of the lawsuit filed by Carlos Garcia against the City and County of San Francisco for $2,400,000; the lawsuit was filed on December 5, 2005, in San Francisco Superior Court, Case No. CGC-05-447342; entitled Carlos Garcia, et al. v. City and County of San Francisco, et al. (City Attorney)

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Alioto-Pier, Mar, Chiu

13. 101008 [Centralized and Publicly Accessible Online Database of Appointments to Advisory Bodies]
Sponsors: Chiu; Chu, Alioto-Pier and Mar
Ordinance amending the San Francisco Administrative Code by adding Sections 1.57-1 through 1.57-5, to provide for the establishment and maintenance of a centralized and publicly accessible online database of information concerning appointments made by Appointing Authorities to City and County of San Francisco advisory bodies.

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 101231 [Settlement of Lawsuit - Galliera, Inc. dba Trico Construction - $700,000]
Ordinance authorizing settlement of the lawsuit filed by Galliera, Inc. dba Trico Construction against the City and County of San Francisco for $700,000; the lawsuit was filed on December 29, 2008, in San Francisco Superior Court, Case No. CGC-08-483555, entitled Galliera, Inc. dba Trico Construction v. City and County of San Francisco, et al.; other material terms of the settlement are: (1) the settlement includes the consolidated action Cal Centurian Construction, Inc. dba RWR Construction v. Galliera, Inc. dba Trico Construction, et al., San Francisco Superior Court, Case No. CGC-09-485849, (2) the settlement includes all cross-complaints, (3) mutual releases except for warranties, guarantees, latent defects, and personal injury, (4) dismissal of all complaints and cross-complaints with prejudice, and (5) each party to bear its own attorneys fees and costs. (City Attorney)

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. 101232 **[Settlement of Lawsuit - Jeri D. Sessler - $75,000]**
Ordinance authorizing settlement of the lawsuit filed by Jeri D. Sessler against the City and County of San Francisco for $75,000; the lawsuit was filed on June 3, 2009, in San Francisco Superior Court, Case No. CGC-09-488998; entitled Jeri D. Sessler, et al. v. City and County of San Francisco, et al. (City Attorney)

10/19/2010, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Elsbernd

16. 101158 [Taxable and/or Tax Exempt Certificates of Participation (HOPE SF) - Not to Exceed $38,000,000]

Sponsor: Mayor

Ordinance authorizing the execution and delivery of Taxable and/or Tax Exempt Certificates of Participation (HOPE SF) in an aggregate principal amount not to exceed $38,000,000 to finance certain capital improvement projects; approving the form of a Trust Agreement between the City and County of San Francisco and the trustee (including certain indemnities contained therein); granting authorization for the selection of a trustee; approving the form of a Property Lease between the City and the Trustee named therein relating to certain property generally known as the Mission Police Station, certain property generally known as the Bayview Station of the San Francisco Police Department and certain other City-owned property; approving the form of a Project Lease between the City and the Trustee (including certain indemnities contained therein); delegating to the Director of Public Finance the authority to sell the Certificates of Participation by either a competitive or negotiated sale; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Taxable and/or Tax Exempt Certificates of Participation (HOPE SF), if sold by competitive sale; authorizing certain actions relating to the Taxable and/or Tax Exempt Certificates of Participation (HOPE SF), if sold by negotiated sale including approving the form of a Purchase Contract between the City and an underwriter named therein; approving the form of an Official Statement in preliminary form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Taxable and/or Tax Exempt Certificates of Participation (HOPE SF); approving modifications to documents; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

10/19/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. 101192 **[Appropriating $38,000,000 of Certificate of Participation Proceeds for the HOPE SF Development Project in the Mayor's Office of Housing for FY2010-2011]**
Sponsors: Mayor; Maxwell
Ordinance appropriating $38,000,000 of Certificate of Participation Series 2011B proceeds to fund the HOPE SF Development Project sponsored by Hunters View Associates in the Mayor's Office of Housing for FY2010-2011 and placing these funds on Controller's reserve pending issuance of the COPs or associated commercial paper used for cash flow purposes in FY2010-2011.

(Fiscal Impact.)

10/19/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

18. 101197 **[Contract Approval - Municipal Transportation Agency - Capital Program Controls System Procurement and Related Support Services - Not to Exceed $22,268,541]**
Sponsor: Chu
Resolution approving the San Francisco Municipal Transportation Agency Contract No. CS-156, Agency Capital Program Controls System Procurement, and Related Support Services, to Hill International, as negotiated, for an amount not to exceed $22,268,541 for a term not to exceed eight years, with expenditures limited to $13,481,000 pending receipt and certification of additional funding.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

19. 101199 **[Accept and Expend Grant - Department of Public Health - State Vocational Rehabilitation Services Program - $7,685,055]**
Sponsor: Maxwell
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the California Department of Rehabilitation in the total amount of $7,685,055 to provide vocational rehabilitation services to clients for the period July 1, 2010, through June 30, 2013, waiving indirect costs.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

20. 101215 [Leases of Real Property at 729 Filbert Street, 650 Fifth Street, 160 South Van Ness Avenue, and 109 New Montgomery Street]

Resolution authorizing the amendment of four existing leases (at 729 Filbert Street, 650 Fifth Street, 160 South Van Ness Avenue, and 109 New Montgomery Street) to reduce the rent and extend the lease term for the Department of Public Health, Human Services Agency, and the Department of Child Support Services. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

21. 101252 [Amendment to the Redevelopment Agency Budget - Not to Exceed $520,743]

Sponsor: Mayor

Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for FY2010-2011 by authorizing expenditures in an amount not to exceed $520,743 for personnel positions associated with the implementation of the Candlestick Point - Hunters Point Shipyard Phase 2 Project.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Avalos, Elsbernd

22. 101213 [Airline/Airport 2011 Lease and Use Agreement with Various Airlines]

Resolution approving six new Airline/Airport Lease and Use Agreements between the City and County of San Francisco and various airlines, effective July 1, 2011, to allow such Airlines to conduct domestic and international flight operations at San Francisco International Airport. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

23. 101214 [Airline/Airport Lease and Use Agreement and Lease and Operating Agreement Modifications with Alaska Airlines, Inc., and Continental Airlines, Inc.]

Resolution approving modifications to the terms of two Airline/Airport Lease and Use Agreements between the City and County of San Francisco and Alaska Airlines, Inc., and Continental Airlines, Inc., to allow such Airlines to modify the rental of Terminal Space. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present Supervisors Mar, Chu

24. 101156 **[Memorandum of Understanding, Amendment No. 2 - Service Employees International Union, Local 1021 (H-1 Fire Rescue Paramedics)]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, by extending the term of the parties' agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 101157 **[Amending the Employee Relations Ordinance to Update Provisions Consistent with State and Local Law and Related Clean-Up Provisions]**
Sponsor: Mayor
Ordinance amending Section 16.200 through Section 16.222 of the San Francisco Administrative Code regarding Employee Relations to update provisions consistent with state and local law and related clean-up provisions.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

26. 100878 **[San Francisco Fire Code - Repealing and Replacing]**
Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2010 San Francisco Fire Code consisting of the 2010 California Fire Code and portions of the 2009 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 100946 **[San Francisco Building Code - Repealing and Replacing]**
Ordinance repealing the 2007 San Francisco Building Code in its entirety and replacing that Code with a new 2010 San Francisco Building Code that consists of the 2010 California Building Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 100950 [San Francisco Building Code - Residential Building - Repealing and Replacing]

Ordinance incorporating the provisions of the 2010 California Residential Code into various chapters of the San Francisco Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the San Francisco Building Code; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 101128 [San Francisco Building Code - Green Building - Repealing and Replacing]

Ordinance repealing Chapter 13C of the San Francisco Building Code in its entirety and enacting a new Chapter 13C that consists of the 2010 California Green Building Standards Code with local amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and Public Resources Code Section 25402.1(h)(2), and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 100952 [San Francisco Electrical Code - Repealing and Replacing]

Ordinance repealing the 2007 San Francisco Electrical Code in its entirety and replacing that code with a new 2010 San Francisco Electrical Code that consists of the 2010 California Electrical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 101126 [San Francisco Mechanical Code - Repealing and Replacing]

Ordinance repealing the 2007 San Francisco Mechanical Code in its entirety and replacing that code with a new 2010 San Francisco Mechanical Code that consists of the 2010 California Mechanical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 101127 **[San Francisco Plumbing Code - Repealing and Replacing]**
Ordinance repealing the 2007 San Francisco Plumbing Code in its entirety and replacing that code with a new 2010 San Francisco Plumbing Code that consists of the 2010 California Plumbing Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011 (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Public Safety Committee

Present. Supervisors Chiu, Mirkarimi, Elsbernd

33. 100455 **[San Francisco Safe Drug Disposal Ordinance]**
Sponsor: Mirkarimi
Ordinance amending the San Francisco Environment Code by adding Chapter 22, Sections 2201 through 2209, to require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources and to provide for implementation, enforcement, fees, and penalties, and making environmental findings.

(Supervisor Elsbernd dissented in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 101062 **[Updating Enforcement and Compliance Procedures for Nuisance]**
Sponsor: Avalos
Ordinance amending the San Francisco Health Code Articles 6 and 11 by amending Sections 580, 581, 596, 599, and 600, and adding Sections 292.5, 596.5, 602.3, and 610 to: 1) add requirements for Refuse collection and storage in multi-story residential facilities; 2) update nuisance definitions; 3) add potential attorneys' fees recovery for the prevailing party in those cases which the City elects to recover attorneys' fees; 4) require owners of rental property to provide contact information to the Department; 5) add civil penalties; and 6) expand administrative penalties and procedures.

(Supervisor Elsbernd dissented in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 35 through 40

35. 101319 [Encouraging of a Goal of 20% of Trips by Bicycle by 2020]
Sponsors: Chiu; Dufty, Mirkarimi and Maxwell
Resolution encouraging departments and agencies of the City and County of San Francisco to adopt a goal of 20% of trips by bicycle by 2020.

10/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 101320 [Parkside Branch Library Reopening]
Sponsor: Chu
Resolution recognizing the Grand Reopening of the Parkside Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

10/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 101321 **[Issuance and Sale of Revenue Bonds - Crescent Manor - 467 Turk Street]**
Sponsor: Daly
Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principle amount not to exceed $11,000,000 for financing the acquisition, construction, and rehabilitation of Crescent Manor - 467 Turk Street, subject to the policies for such approvals adopted by the Board of Supervisors.

10/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

38. 101322 **[Accept and Expend Grant - PSI/Myanmar Collaborative Impact Study Planning - $7,993]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $7,993 from the University of California San Francisco (UCSF), to participate in a program entitled "PSI/Myanmar Collaborative Impact Study Planning" for the period of May 1, 2010, through June 29, 2010.

10/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

39. 101323 **[Accept and Expend Grant - Tanzania Support President's Emergency AIDS Plan - $27,062]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $27,062 from the University of California San Francisco (UCSF), to participate in a program entitled "Tanzania UCSF Technical Assistance to Support the President's Emergency Plan for AIDS" for the period of April 1, 2010, through September 29, 2010.

10/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 101328 **[Urging the Governor of California to Reinstate Stage 3 Child Care Funding]**
Sponsors: Mar; Chiu
Resolution urging the Governor of California to reinstate Stage 3 child care funding of $256,000,000 to protect 1,214 children in San Francisco and 81,000 children in California and to save thousands of jobs and urge the First 5 Commission to provide bridge funding until December 2010.

10/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

41. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from October 12, 2010, to October 18, 2010, for reference by President to appropriate committee on October 26, 2010.

101301 **[Approval of Contract with AnsaldoBreda, Inc. - Repair of Damaged LRVs - Not to Exceed $32,854,622]**
Resolution approving Contract No. CPT 626.02, repair of damaged light rail vehicles, between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and AnsaldoBreda, Inc., to rebuild up to seven damaged light rail vehicles, in an amount not to exceed $32,854,622, and for a term not to exceed six years, with expenditures limited to $13,000,000 pending certification of additional funding. (Municipal Transportation Agency)

10/18/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101302 **[Harry Tracy Water Treatment Plant Improvements Project Findings]**
Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Harry Tracy Water Treatment Plant Long-Term Improvements Project No. CUW36701, part of the Water System Improvement Program, for the improvements to the regional water supply system and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

10/15/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101304 **[Crystal Springs Pipeline Number Two Replacement Project Findings]**
Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Crystal Springs Pipeline Number 2 Replacement Project No. CUW37801, part of the Water System Improvement Program for the improvements to the regional water supply system and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

10/15/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

101305 **[Lower Crystal Springs Dam Improvements Project Findings]**
Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Lower Crystal Springs Dam Improvements Project No. CUW35401, including the Mitigation Habitat Actions at ten sites mostly in San Mateo County and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

10/15/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

101306 **[Purchase Agreement - Permanent Access Road Easement - Stanislaus County - $500]**
Resolution approving and authorizing an agreement for the purchase of a permanent access road easement totaling 751 square feet over a portion of Assessor's Parcel Numbers 016-002-011 and 016-002-012 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 (the Project) for a purchase price of $500; adopting findings under the California Environmental Quality Act (CEQA); adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

10/18/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101307 **[Purchase Agreement - Permanent Access Road Easement - Stanislaus County - $2,500]**
Resolution approving and authorizing an agreement for the purchase of a permanent access road easement totaling 398 square feet over a portion of Assessor's Parcel Number 016-002-048 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 (the Project) for a purchase price of $2,500; adopting findings under the California Environmental Quality Act (CEQA); adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

10/18/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101300 **[Petitions and Communications]**

Petitions and Communications received from October 12, 2010, through October 18, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 26, 2010.

From Andrea O'Leary, submitting copy of letter sent to the Recreation and Park Commission regarding outreach issues. (1)

From Aaron Goodman, submitting his concerns with the Parkmerced Project. (2)

From concerned citizens, submitting support for the Parkmerced Project. File No. 100979, 5 letters (3)

From Edith McMillan, submitting opposition to alterations to the Board of Supervisors' Legislative Chamber. File No. 101182, Copy: Each Supervisor (4)

From Department of Public Health, submitting a letter from the Director, Environmental Health, requesting nomination of a restaurant in each district. Copy: Each Supervisor (5)

From Real Estate Division, submitting a letter of receipt regarding the Japantown City Agency Work Group. Copy: Supervisor Mirkarimi (6)

From Office of the Controller, submitting compliance audit of Hawaiian Airlines, Inc. Copy: Mayor, Each Supervisor, Budget Analyst, Civil Grand Jury and Public Library. (7)

From City Administrator and Chair, Capital Planning Committee, submitting recommendations of the Capital Planning Committee on the issuance and sale of the earthquake safety and emergency response general obligation bond. (8)

From Francisco Da Costa, submitting a link to an article regarding Lennar and Parcel A at Hunters Point Naval Shipyard. (9)

From Francisco Da Costa, submitting a link to an article regarding the America's Cup. (10)

From James Carrigan, submitting information on Fire Station No. 2 double-parking on Powell Street during morning rush hour. (11)

From Julie Eckardt, submitting a letter of support for the plan to allow Recology to transport materials from the City to Yuba County via rail hauling. File No. 101225 (12)

From Department of the Environment, submitting an annual report for calendar years 2008-2009. (13)

From Department of the Environment, submitting an annual report on the City's green purchasing program (14)

From Robert Geshlider, submitting opposition to California Pacific Medical Center's Master Plan for St. Luke's Hospital and the new Cathedral Hill facility. (15)

From Public Utilities Commission, requesting the calendaring of a release of reserve on the Public Utilities Commission Sustainable Energy Account Project CUH947. (16)

From concerned citizens, submitting opinions on setting nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items. File No. 101096, 35 letters (17)

From Jim Toner, submitting opposition to setting nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items. File No. 101096 (18)

From James Chaffee, submitting an article on the Ethics Commission and its recommendation of the President of the Library Commission's conduct. 2 letters (19)

From Bill Quan, submitting a letter recommending amending the enforcement and compliance procedures for nuisance. File No. 101062 (20)

From Real Estate Division, submitting a letter of receipt of Board of Supervisors inquiry regarding Japantown City Agency Work Group. (21)

From Fior d' Italia, submitting Cowboy Bob's Bum Report regarding Board of Supervisors' legislation verses the homeless issues in San Francisco. (22)

From Office of the Controller, submitting the September monthly overtime report. (23)

From Axis of Love, submitting a release regarding Axis of Love's protest of the issuance of a violation against a social service/non-profit. (24)

From Katherine Howard, Golden Gate Park Preservation Alliance, submitting a letter regarding Westside Recycled Water Treatment Plant. (25)

From the Airport Commission, submitting a report on concession audit of Host International, Inc. (26)

From Judith Berkowitz, Coalition for San Francisco Neighborhoods, submitting a letter regarding resolution to the proposed construction of the Westside Water Treatment Plant in Golden Gate Park. (27)

ADJOURNMENT

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

10-29-10A11:08 RCVD

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, November 2, 2010 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

OCT 29 2010

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PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at http://www.sfbos.org/meetings. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

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The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

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Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the the September 28, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 18

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi

1. 101282 **[Accept and Expend Grant - The ARTery Project - $250,000]**
Sponsors: Mayor; Dufty
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $250,000 from the National Endowment for the Arts for the Mid Market Cultural District Partnership, now called The ARTery Project.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

2. 100296 [Liquor License - 2367-2371 Market Street]
Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license to Pornchai Hutachinda for P H Holdings, Inc., dba the Cafe, located at 2367-2371 Market Street (District 8), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

3. 101196 [Gift Acceptance - Equipment and Furnishings - $155,013]
Sponsors: Chiu; Elsbernd
Resolution authorizing the Recreation and Park Department to accept a gift of equipment and furnishings valued at $155,013 from the San Francisco Parks Trust Gear-up Campaign to be used at Hamilton Recreation Center, Midtown Terrace Playground, Harvey Milk Center for the Recreational Arts, Sunnyside Conservatory, Sunnyside Clubhouse, and other Recreation and Park Department facilities.

Question: Shall this Resolution be ADOPTED?

4. 101198 [Accept and Expend Grant - Screening, Brief Intervention, and Referral to Treatment Project - $25,331]
Sponsor: Chu
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $25,331 from the University of California, San Francisco, to fund the Screening, Brief Intervention, and Referral to Treatment project, and to enter into an agreement for the use of these funds for the period of September 30, 2009, through September 29, 2010.

Question: Shall this Resolution be ADOPTED?

5. 101251 [Accept and Expend Grant - Youth Stewardship Program - $165,000]
Sponsor: Maxwell
Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend a grant in the amount of $165,000 to support the San Francisco Recreation and Park Department's Youth Stewardship Program for the period of October 1, 2010, through October 1, 2015.

Question: Shall this Resolution be ADOPTED?

6. 101275 [Accept and Expend Grant - Illegal Dumping Abatement Project - Not to Exceed $350,000]
Sponsor: Maxwell
Resolution authorizing the Director of the Department of Public Works to apply for, accept and expend a grant in the amount of up to but not to exceed $350,000 from the Solid Waste Disposal Clean-up Site Trust Fund for clean-up of illegal dumping sites in San Francisco.

Question: Shall this Resolution be ADOPTED?

7. 101298 **[Gift Acceptance - Two Automobiles from KKI Productions - $31,239.30]**
Resolution authorizing the San Francisco Police Department to accept as gifts from KKI Productions a 2007 Honda Accord with mileage of 33,681 valued at $15,571.44 and a 2008 Toyota Corolla S-Type with mileage of 32,518 valued at $15,667.86. These automobiles will be placed into the general fleet of vehicles assigned to the San Francisco Police Department

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu

8. 101156 **[Memorandum of Understanding, Amendment No. 2 - Service Employees International Union, Local 1021 (H-1 Fire Rescue Paramedics)]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, by extending the term of the parties' agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

10/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

9. 100878 **[Fire Code - Repealing and Replacing]**
Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2010 San Francisco Fire Code consisting of the 2010 California Fire Code and portions of the 2009 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

10/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 100946 **[Building Code - Repealing and Replacing]**

Ordinance repealing the 2007 San Francisco Building Code in its entirety and replacing that Code with a new 2010 San Francisco Building Code that consists of the 2010 California Building Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

10/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 100950 **[Building Code - Residential Building - Repealing and Replacing]**

Ordinance incorporating the provisions of the 2010 California Residential Code into various chapters of the San Francisco Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the San Francisco Building Code; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

10/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 100952 **[Electrical Code - Repealing and Replacing]**

Ordinance repealing the 2007 San Francisco Electrical Code in its entirety and replacing that code with a new 2010 San Francisco Electrical Code that consists of the 2010 California Electrical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

10/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 101126 **[Mechanical Code - Repealing and Replacing]**

Ordinance repealing the 2007 San Francisco Mechanical Code in its entirety and replacing that code with a new 2010 San Francisco Mechanical Code that consists of the 2010 California Mechanical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

10/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 101127 **[Plumbing Code - Repealing and Replacing]**
Ordinance repealing the 2007 San Francisco Plumbing Code in its entirety and replacing that code with a new 2010 San Francisco Plumbing Code that consists of the 2010 California Plumbing Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7; and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011 (Building Inspection Department)

10/26/2010 PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. 101128 **[Building Code - Green Building - Repealing and Replacing]**
Ordinance repealing Chapter 13C of the San Francisco Building Code in its entirety and enacting a new Chapter 13C that consists of the 2010 California Green Building Standards Code with local amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and Public Resources Code Section 25402.1(h)(2), and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

10/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

16. 100899 **[Appointment, Entertainment Commission - Timothy Benetti]**
Motion appointing Timothy Benetti, term ending July 1, 2014, to the Entertainment Commission. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

17. 101292 **[Appointments, Immigrant Rights Commission - Vera Haile, Samer Danfoura, Teresa Chee, and Elahe Enssani]**
Motion to appointing Vera Haile, Samer Danfoura, Teresa Chee, and Elahe Enssani, terms ending June 6, 2012, to the Immigrant Rights Commission. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

18. 101293 **[Appointment, Commission on the Aging Advisory Council - Catherine Rose Russo]**
Motion appointing Catherine Rose Russo, term ending March 31, 2012, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

19. 101096 [Health Code - Setting Nutritional Standards for Restaurant Food Sold Accompanied by Toys or Other Youth Focused Incentive Items]
Sponsors: Mar; Campos, Chiu and Avalos
Ordinance amending Article 8 of the San Francisco Health Code by adding Sections 471.1 through 471.8, to set nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items.

10/19/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

20. 101248 [Appropriating $85,000,000 of General Obligation Bonds for the Department of Public Works and the Public Utilities Commission for FY2010-2011]
Sponsors: Mayor; Chiu
Ordinance appropriating $85,000,000 of the 2010 Series 1 Earthquake Safety and Emergency Response General Obligation Bond proceeds including $76,603,071 to the Department of Public Works, and $8,396,929 to the Public Utilities Commission for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster for FY2010-2011, and placing these funds on Controller's Reserve pending the sale of the bonds.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Avalos, Mirkarimi

21. 101268 **[Waiver of Street Encroachment Inspection Fee for Golden Gate Transportation District]**
Sponsor: Elsbernd
Ordinance waiving the Street Encroachment Permit Inspection Fee established through Public Works Code Section 2.1.1 for signs related to bus service for the Golden Gate Bridge, Highway, and Transportation District.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 101269 **[Accept and Expend Grant - Probation Specialized Supervision Program and Amendment to the Annual Salary Ordinance for FY2010-2011 - $300,000]**
Sponsor: Maxwell
Ordinance authorizing the Department of Adult Probation to retroactively accept and expend a grant in the amount of $300,000 from the California Emergency Management Agency for Probation Specialized Supervision Program federally funded through the Violence Against Women Act and amend Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of three (3) grant-funded positions (.75 FTE) in Class 8444 Deputy Probation Officer, (.50 FTE) in Class 9920 Public Service Aide/Probation Aide, and (.50 FTE) in Class 9920 Public Service Aide/Probation Aide at the Department of Adult Probation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 101270 **[Accept and Expend Grant - San Francisco Reentry Courts and Amendment to the Annual Salary Ordinance for FY2010-2011 - $500,000]**
Sponsor: Mirkarimi
Ordinance authorizing the Adult Probation Department to retroactively accept and expend a grant in the amount of $500,000 from the Office of Justice Programs for funding under the Second Chance Act State, Local and Tribal Reentry Courts, and amend Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of (4) four grant funded positions; (.20 FTE) in Class 8138 Court Reporter at the Adult Probation Department, (.20 FTE) in Class 8113 Court Clerk at the Adult Probation Department, (.40 FTE) in Class 8177 Attorney at the Office of the Public Defender (PDR) and (.75 FTE) in Class 2912 Sr. Social Worker at the Department of Public Health.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 101228 **[Contract Modification - Hamilton Family Center - $180,000]**
Resolution concurring with the Human Services Agency's Declaration of Emergency to modify the contract between the City and County of San Francisco and Hamilton Family Center to provide emergency elevator repairs for the family shelter in the amount of $180,000. (Human Services Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Avalos, Mirkarimi, Elsbernd

25. 101255 [Issuance of General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010) - Not to Exceed $412,300,000]

Sponsors: Mayor; Chiu

Resolution providing for the issuance of not to exceed $412,300,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010); authorizing the execution, authentication, and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; adopting certain CEQA findings and determinations; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

Question: Shall this Resolution be ADOPTED?

26. 101256 [Sale of General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010) - Not to Exceed $85,000,000]

Sponsors: Mayor; Chiu

Resolution authorizing and directing the sale of not to exceed $85,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010), Series 2010E (Tax-Exempt), and City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010), Series 2010F (Federally Taxable Build America Bonds); prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; adopting certain CEQA findings and determinations; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

Question: Shall this Resolution be ADOPTED?

27. 101316 **[Board Review and Approval of 2010 United States Department of Housing and Urban Development Continuum of Care Programs Application]**
Sponsor: Mayor
Resolution approving the City and County of San Francisco 2010 Grant Application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors' review and approval process for all annual or otherwise recurring grants of $5,000,000 or more.

Question: Shall this Resolution be ADOPTED?

28. 101318 **[Resolution of Intention to Form the Civic Center Community Benefit District]**
Sponsor: Mayor
Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Civic Center Community Benefit District" and levy a multi-year assessment on identified parcels in the district; (2) approving the management district plan and engineer's report and proposed boundaries map for the district; (3) ordering and setting a time and place for a public hearing thereon; (4) approving the form of the Notice of Public Hearing and Assessment Ballots; (5) directing environmental findings; and (6) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting, as required by law.

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

29. 101009 **[Environment Code - Healthy Air and Clean Transportation Program]**
Sponsors: Mayor; Dufty
Ordinance (1) amending the San Francisco Environment Code by repealing current Sections 400 through 409, and adopting new Sections 400 through 424; (2) amending the San Francisco Environment Code by amending current Sections 410, 411, and 421 and re-numbering them as Sections 425, 426, and 427 respectively; and (3) amending the San Francisco Administrative Code by amending Section 4.10-1, all to establish and implement a new Healthy Air and Clean Transportation Program, providing for the gradual conversion of the City's vehicle fleet to clean air vehicles and the gradual reduction of the overall number of passenger vehicles and light duty trucks in the City's vehicle fleet by 20 percent; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

30. 100046 [Planning Code, Administrative Code - Amending Inclusionary Housing Ordinance]

Sponsors: Mayor; Chiu

Ordinance amending the Planning Code and Administrative Code by amending the Inclusionary Affordable Housing Program, Planning Code Section 415 et seq. (formerly Code Section 315, et seq.) (Program) and to require all project applicants to pay the Affordable Housing Fee unless they are eligible for an alternative; making other amendments to the Program including expanding the uses of the Citywide Affordable Housing Fund, deleting provisions relating to certain requirements for off-site units, and deleting provisions requiring a refund of fees after issuance of certificate of occupancy; amending Sections 416 and 417 to make conforming amendments to the Inclusionary Affordable Housing Program; amending Section 827 to delete the requirement that 50% of on- or off-site affordable housing units provided under Section 415 et seq. in the Rincon Hill Area Plan be provided as rental; amending the Administrative Code by amending Chapter 56 related to Development Agreements to create certain exceptions from its requirements for rental housing developments with on-site inclusionary units; and making findings including findings under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 100829 [Planning Code - Car-Share Controls]

Sponsors: Chiu; Mar and Maxwell

Ordinance amending the San Francisco Planning Code, including Section 151.1 to enable the Planning Commission to require the provision of annual memberships to certified car-share organizations to residents of certain new development projects when certain findings are made; Section 163 to promote car-share services as a component of transportation management programs and transportation brokerage services; and Section 166 to permit car-share spaces in the same manner as residential accessory parking and require that car-sharing requirements for non-residential uses apply to all zoning districts; adopting findings, including findings under Section 302 of the Planning Code, environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 101216 [Mission Bay South - Fourth Street, Channel Street, and Third Street Public Infrastructure Improvements]

Ordinance accepting the irrevocable offers of property along portions of Channel Street and Third Street and the irrevocable offers of improvements of public infrastructure improvements, including acquisition facilities on Channel Street, Fourth Street, and Third Street; dedicating such improvements for public use; declaring such areas as shown on Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,869; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 101217 **[Mission Bay South - Blocks 10-10A Public Infrastructure Improvements]**
Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 10-10A including acquisition facilities on China Basin Street, Terry A. Francois Boulevard and Mission Bay Boulevard North; declaring City property as shown on official Department of Public Works maps as open public right-of-way, dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths, accepting said facilities for City maintenance and liability purposes, subject to specified limitations, adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,870; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 101218 **[Mission Bay South - Storm Water Pump Station No. 6 Public Infrastructure Improvements]**
Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay Storm Water Pump Station No. 6 including acquisition facilities located on and under Bayfront Park along Terry A. Francois Boulevard; accepting said facilities for City maintenance and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,871; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

35. 101246 **[Administrative Code - Medical Cannabis Task Force Membership, Powers, and Duties]**
Sponsor: Campos
Ordinance amending San Francisco Administrative Code by amending Sections 5.2-3 and 5.2-5 to: (1) increase the number of members of the San Francisco Medical Cannabis Task Force (Task Force) from 13 to 15; (2) establish qualifications for the two members added to the Task Force; and (3) expand powers and duties of the Task Force to include developing and making recommendations to the Board of Supervisors about local regulation of medical cannabis in the event that State Proposition 19 is approved by the voters in the election held on November 2, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 100907 **[Appointments, San Francisco Relocation Appeals Board - Steven Jin Lee and Natividad M. Ramirez]**
Sponsor: Mayor
Motion confirming the appointments of Steven Jin Lee and Natividad M. Ramirez to the San Francisco Relocation Appeals Board, terms ending January 2, 2012.

Question: Shall this Motion be APPROVED?

37. 101234 [Confirming Reappointment, San Francisco Redevelopment Agency - Leroy King]

Sponsor: Mayor

Motion confirming the reappointment of Leroy King to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2014.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 38 through 40

38. 101367 **[Accept and Expend Gift - Gene Friend Recreation Center - $100,000]**
Sponsor: Daly
Resolution authorizing the Recreation and Park Department to accept and expend a gift of $100,000 from the San Francisco Parks Trust, on behalf of the Friend Family Foundation, for the renovation of the Gene Friend Recreation Center. (Recreation and Park Department)

10/26/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 101368 **[Accept and Expend Gift - Music Concourse Trees - $30,000]**
Sponsor: Mar
Resolution authorizing the Recreation and Park Department to accept and expend a gift of $30,000 from the San Francisco Parks Trust on behalf of Chase Freedom for the purchase, planting, and care of approximately 40 London Plane trees in Golden Gate Park's Music Concourse. (Recreation and Park Department)

10/26/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 101353 **[Committee of the Whole - Public Hearing to Establish the Ocean Avenue Community Benefits District]**
Sponsor: Avalos
Motion directing the Board of Supervisors to hold a public hearing on November 16, 2010, with the Board sitting as a Committee of the Whole, to consider adopting a Resolution to Establish the Ocean Avenue Community Benefits District.

10/26/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda.

41. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

101303 **[Settlement of Lawsuit - Viz Media, LLC - $219,000]**
Ordinance authorizing settlement of the lawsuit filed by Viz Media, LLC, against the City and County of San Francisco for $219,000; the lawsuit was filed on August 10, 2010, in San Francisco Superior Court, Case No. CGC-10-502460; entitled Viz Media, LLC v. City and County of San Francisco, et al. (City Attorney)

10/18/2010; RECEIVED AND ASSIGNED to the Rules Committee.

101340 **[Settlement of Lawsuit - Regal Stone, Ltd. - City to Receive $3,717,096.52]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Regal Stone, Ltd. et al. for the sum of $3,717,096.52, including previous initial payment of $2,000,000; the lawsuit was filed on December 10, 2007, in San Francisco Superior Court, Case No. CGC-07-469876 (transferred to Monterey County Superior Court, Case No. M98173); entitled City and County of San Francisco, et al., v. Regal Stone, Ltd., et al. (City Attorney)

10/21/2010; RECEIVED AND ASSIGNED to the Rules Committee.

101341 **[Settlement of Lawsuit - Toni Battle - $150,000]**
Ordinance authorizing settlement of the lawsuit filed by Toni Battle against the City and County of San Francisco for $150,000; the lawsuit was filed on October 16, 2009, in San Francisco Superior Court, Case No. CGC 09-493489, entitled Battle v. City and County of San Francisco, et al. (City Attorney)

10/21/2010; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

101346 **[Airport Concession Leases]**
Resolution approving Amendment No. 1 to Domestic Terminals Food and Beverage Lease No. 03-0178 with Lori's Diner International; No. 03-0179 with Andale Airports; No. 03-0181 with Meyers Holdings, LLC; and No. 03-0188 with H. Young Enterprises, and the City and County of San Francisco, by and through its Airport Commission. (Airport Commission)

10/22/2010, RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101345 **[Petitions and Communications]**

Petitions and Communications received from October 19, 2010, through October 25, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 2, 2010.

From concerned citizens, submitting letters of support for Tim Benetti as Entertainment Commissioner. 2 letters (1)

From Department of the Environment, submitting findings on the Urban Forestry Council's review of a Landmark Tree Nomination. (2)

From concerned citizens, submitting letters of support for petitions for City parcels to form the proposed Civic Center Community Benefit District. File No. 101201, 3 letters (3)

From concerned citizens, submitting letters in opposition of City parcels to form the proposed the Community Benefit District proposal. File No. 101201, Copy: Mayor and Ethics Commission, 3 letters (4)

From Office of the Sheriff, submitting the Annual Report of Inmate Welfare Fund expenditures for the Fiscal Year ending June 30, 2010. (5)

From concerned citizens, submitting letters of support for Shell Thomas as Entertainment Commissioner. 4 letters (6)

From Edna Hill Middle School, Seventh Grade, submitting letters as part of a persuasive writing assignment on the potential banning of toys from McDonald's Happy Meal. File No. 101096, 64 letters (7)

From San Francisco International Airport, submitting a waiver request to the Human Rights Commission. (8)

From Department of Public Works, submitting a report on the Micro-LBE Set-Aside Program for contracts of the Department of Public Works. Copy: Human Rights Commission. (9)

From Ivan Pratt, submitting a letter on the general legalization of California's marijuana laws for leisurely usage. (10)

From Aaron Goodman, submitting a memo on Parkmerced and Fortress Investments (11)

From concern citizens, submitting letters in support of Safe Drug Disposal. File No. 100455, 3 letters (12)

From Controller's Office, submitting the First Quarter General Fund Budget Status Report for FY2010-2011. (13)

From Robert Morales, Secretary - Treasurer, Sanitary Truck Drivers and Helpers, Local No. 350, submitting a reply declining the request by Recology San Francisco, that Local 350 withdraw its letter to the Board of Supervisors regarding the City's proposed Landfill and Facilitation Agreement with Recology San Francisco. File No. 101225, Copy: Board of Supervisors. (14)

From Office of Civic Engagement and Immigrant Affairs, submitting information on the City's participation rate in the 2010 Census. (15)

From Francisco Da Costa, submitting an article, The Old Schlage Lock Company and Dubious Activities. (16)

From Office of the District Attorney, submitting the Annual Real Estate Fraud Report for FY2009-2010. (17)

From Department of the Environment, submitting a survey that shows green cleaning product prices are equivalent to conventional products. (18)

From James Corrigan, submitting a statement concerning the pensions of Police and Fire. (19)

From Lee Goodin, submitting a letter of opposition regarding marking the North Beach Library a landmark. (20)

From Kimo Crossman, submitting an article about plans to require online posting of data. File No. 101155. (21)

From Department of the Environment, submitting a Regulation of cell phone retailers duty to post specific absorption rate information. (22)

ADJOURNMENT

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT
DOCUMENTS DEPT

NOV - 5 2010

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, November 9, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at http://www.sfbos.org/meetings. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the October 5, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. **101248** **[Appropriating $85,000,000 of General Obligation Bonds for the Department of Public Works and the Public Utilities Commission for FY2010-2011]**
Sponsors: Mayor; Chiu
Ordinance appropriating $85,000,000 of the 2010 Series 1 Earthquake Safety and Emergency Response General Obligation Bond proceeds including $76,603,071 to the Department of Public Works, and $8,396,929 to the Public Utilities Commission for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster for FY2010-2011, and placing these funds on Controller's Reserve pending the sale of the bonds.

11/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Avalos, Mirkarimi

2. 101268 [Waiver of Street Encroachment Inspection Fee for Golden Gate Transportation District]
Sponsor: Elsbernd
Ordinance waiving the Street Encroachment Permit Inspection Fee established through Public Works Code Section 2.1.1 for signs related to bus service for the Golden Gate Bridge, Highway, and Transportation District.

11/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 101269 [Accept and Expend Grant - Probation Specialized Supervision Program and Amendment to the Annual Salary Ordinance for FY2010-2011 - $300,000]
Sponsor: Maxwell
Ordinance authorizing the Department of Adult Probation to retroactively accept and expend a grant in the amount of $300,000 from the California Emergency Management Agency for Probation Specialized Supervision Program federally funded through the Violence Against Women Act and amend Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of three (3) grant-funded positions (.75 FTE) in Class 8444 Deputy Probation Officer, (.50 FTE) in Class 9920 Public Service Aide/Probation Aide, and (.50 FTE) in Class 9920 Public Service Aide/Probation Aide at the Department of Adult Probation.

11/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 101270 [Accept and Expend Grant - San Francisco Reentry Courts and Amendment to the Annual Salary Ordinance for FY2010-2011 - $500,000]
Sponsor: Mirkarimi
Ordinance authorizing the Adult Probation Department to retroactively accept and expend a grant in the amount of $500,000 from the Office of Justice Programs for funding under the Second Chance Act State, Local and Tribal Reentry Courts, and amend Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of (4) four grant funded positions; (.20 FTE) in Class 8138 Court Reporter at the Adult Probation Department, (.20 FTE) in Class 8113 Court Clerk at the Adult Probation Department, (.40 FTE) in Class 8177 Attorney at the Office of the Public Defender (PDR) and (.75 FTE) in Class 2912 Sr. Social Worker at the Department of Public Health.

11/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

5. 100829 [Planning Code - Car-Share Controls]

Sponsors: Chiu; Mar and Maxwell

Ordinance amending the San Francisco Planning Code, including Section 151.1 to enable the Planning Commission to require the provision of annual memberships to certified car-share organizations to residents of certain new development projects when certain findings are made; Section 163 to promote car-share services as a component of transportation management programs and transportation brokerage services; and Section 166 to permit car-share spaces in the same manner as residential accessory parking and require that car-sharing requirements for non-residential uses apply to all zoning districts; adopting findings, including findings under Section 302 of the Planning Code, environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

11/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 101216 [Mission Bay South - Fourth Street, Channel Street, and Third Street Public Infrastructure Improvements]

Ordinance accepting the irrevocable offers of property along portions of Channel Street and Third Street and the irrevocable offers of improvements of public infrastructure improvements, including acquisition facilities on Channel Street, Fourth Street, and Third Street; dedicating such improvements for public use; declaring such areas as shown on Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,869; and authorizing official acts in connection with this Ordinance. (Public Works Department)

11/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 101217 [Mission Bay South - Blocks 10-10A Public Infrastructure Improvements]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 10-10A including acquisition facilities on China Basin Street, Terry A. Francois Boulevard and Mission Bay Boulevard North; declaring City property as shown on official Department of Public Works maps as open public right-of-way; dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,870; and authorizing official acts in connection with this Ordinance. (Public Works Department)

11/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 101218 [Mission Bay South - Storm Water Pump Station No. 6 Public Infrastructure Improvements]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay Storm Water Pump Station No. 6 including acquisition facilities located on and under Bayfront Park along Terry A. Francois Boulevard; accepting said facilities for City maintenance and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,871; and authorizing official acts in connection with this Ordinance. (Public Works Department)

11/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

9. 101317 [Accept and Expend Grant - San Francisco Re-entry Center Program - $750,000]

Sponsor: Chiu

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $750,000 through the United States Department of Justice, Bureau of Justice Assistance, for a program entitled "San Francisco Re-entry Center" for the grant period of October 1, 2010, through March 31, 2012.

Question: Shall this Resolution be ADOPTED?

10. 101363 [Accept and Expend Grant - No Violence Alliance One Family Reentry Initiative - $300,000]
Sponsor: Mayor
Resolution authorizing the Sheriff's Department to retroactively apply for, accept, and expend $300,000 in funds from the Bureau of Justice Assistance, through the Second Chance Act Prisoner Reentry Initiative; the No Violence Alliance One Family Reentry Initiative will provide a comprehensive, family-focused continuum from in-custody to post-release for sentenced probationers incarcerated in the San Francisco County Jail with a history of substance abuse and minor children.

Question: Shall this Resolution be ADOPTED?

11. 101364 [Accept and Expend Grant - FY2010 Forensic DNA Backlog Reduction Program - $320,274]
Sponsors: Mayor; Alioto-Pier
Resolution authorizing the San Francisco Police Department to retroactively accept and expend a grant totaling $320,274 from the U.S. Department of Justice/ National Institute of Justice for the FY2010 Forensic DNA Backlog Reduction Program.

Question: Shall this Resolution be ADOPTED?

12. 101365 [Accept and Expend Grant - The Keystone Project - $599,298]
Sponsor: Mayor
Resolution authorizing the Sheriff's Department to retroactively apply for, accept, and expend $599,298 in funds from the Bureau of Justice Assistance, through the Second Chance Act Prisoner Reentry Initiative; the Keystone Project will strive to increase public safety and reduce recidivism among offenders with co-occurring disorders in the City and County of San Francisco, and waiving any indirect costs.

Question: Shall this Resolution be ADOPTED?

13. 101366 [Accept and Expend Grant - FY2010 Technology Program Gunshot Location System - $750,000]
Sponsor: Mayor
Resolution authorizing the San Francisco Police Department to retroactively accept and expend a $750,000 grant from the U.S. Department of Justice/Office of Community Oriented Policing FY2010 Technology Program for a Gunshot Location System.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

14. 101009 [Environment Code - Healthy Air and Clean Transportation Program]
Sponsors: Mayor; Dufty, Mar and Campos
Ordinance (1) amending the San Francisco Environment Code by repealing current Sections 400 through 409, and adopting new Sections 400 through 424; (2) amending the San Francisco Environment Code by amending current Sections 410, 411, and 421 and re-numbering them as Sections 425, 426, and 427 respectively; and (3) amending the San Francisco Administrative Code by amending Section 4.10-1, all to establish and implement a new Healthy Air and Clean Transportation Program, providing for the gradual conversion of the City's vehicle fleet to clean air vehicles and the gradual reduction of the overall number of passenger vehicles and light duty trucks in the City's vehicle fleet by 20 percent; and making environmental findings.

11/02/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/02/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu

15. 101157 [Administrative Code - Updating Provisions Consistent with State and Local Law and Related Clean-Up Provisions on Employee Relations]
Sponsor: Mayor
Ordinance amending Section 16.200 through Section 16.222 of the San Francisco Administrative Code regarding Employee Relations to update provisions consistent with state and local law and related clean-up provisions.

10/26/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

16. 101096 **[Health Code - Setting Nutritional Standards for Restaurant Food Sold Accompanied by Toys or Other Youth Focused Incentive Items]**
Sponsors: Mar; Campos, Chiu and Avalos
Ordinance amending Article 8 of the San Francisco Health Code by adding Sections 471.1 through 471.9, to set nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items.

10/19/2010; CONTINUED ON FIRST READING.

11/02/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

11/02/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

17. 101246 **[Administrative Code - Medical Cannabis Task Force Membership, Powers, and Duties]**
Sponsor: Campos
Ordinance amending San Francisco Administrative Code by amending Sections 5.2-3 and 5.2-5 to: (1) increase the number of members of the San Francisco Medical Cannabis Task Force (Task Force) from 13 to 15; (2) establish qualifications for the two members added to the Task Force; and (3) expand powers and duties of the Task Force to include developing and making recommendations to the Board of Supervisors about local regulation of medical cannabis in the event that State Proposition 19 is approved by the voters in the election held on November 2, 2010.

11/02/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi

18. 101099 [Business and Tax Regulations Code - Common Administrative Provisions; Parking Tax; Business Registration]

Sponsors: Mirkarimi; Dufty

Ordinance amending the San Francisco Business and Tax Regulations Code by: (1) amending Article 6 (Common Administrative Provisions) to revise provisions relating to: certificates of authority to collect third-party taxes; prepayment and remittance requirements for hotel and parking operators; enforcement procedures and penalties; and to otherwise clarify and update the provisions of Article 6; (2) amending Article 9 (Tax on Occupancy of Parking Space in Parking Stations), Article 10 (Utility Users Tax), and Article 12 (Business Registration), to lengthen the time period that service suppliers must preserve records from 4 years to 5 years and to extend the payment date of the registration certificate; and (3) repealing Sections 608 through 608.8 of Article 9 (Tax on Occupancy of Parking Space in Parking Stations); and (4) amending the San Francisco Administrative Code by amending Article XIII (Funds), Chapter 10 (Finance, Taxation, and Other Fiscal Matters), to correct references to the California Government Code.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 101100 [Business and Tax Regulations Code - Adding to the Definition of "Control", Revising the Enforcement Authority, and Making Other Nonsubstantive Changes]

Sponsors: Mirkarimi; Dufty

Ordinance amending Article 22 of the Business and Tax Regulations Code by amending Sections 2201 through 2210, 2215, 2216, 2218, 2220, 2225, 2226, 2229, 2230, 2232, and 2233 and repealing Sections 2217, 2223, 2224, and 2237, to establish a presumption that certain operators, signatories and owners control the business affairs of the parking station, revise the Enforcing Agency's authority to permit the use of all authority granted by law and by Article 6 of this Code, and make other nonsubstantive changes.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 101356 [Assessment Ballots for City-Owned Parcels for Proposed Ocean Avenue Community Benefits District]

Sponsor: Avalos

Resolution authorizing the Mayor to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco as the owner of two parcels and part of a third parcel of real property over which the Board of Supervisors has jurisdiction, where those two parcels and the partial parcel would be subject to assessment in the proposed property and business improvement district to be named the Ocean Avenue Community Benefits District.

Question: Shall this Resolution be ADOPTED?

21. 101302 [Harry Tracy Water Treatment Plant Improvements Project Findings]
Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Harry Tracy Water Treatment Plant Long-Term Improvements Project No. CUW36701, part of the Water System Improvement Program, for the improvements to the regional water supply system and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

22. 101357 [Settlement of Unlitigated Claims - Skyline Stables Corporation - $650,000]
Sponsor: Avalos
Resolution approving the settlement of the unlitigated claims by and between Skyline Stables Corporation (Skyline) and City and County of San Francisco, related to the lease between Skyline and the San Francisco Public Utilities Commission (SFPUC) of a portion of the SFPUC Harry Tracy Water Treatment Plant (HTWTP) site in San Mateo County, the SFPUC approval of the HTWTP Long Term Improvement Project to improve water service reliability and seismic stability of the HTWTP, the SFPUC termination of Skyline's lease and Skyline's vacation of the lease premises, and SFPUC's offer to acquire the leasehold interest, calling for SFPUC to pay $650,000 to Skyline, and including other material terms and conditions in a settlement and release agreement.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Maxwell

23. 101155 [Administrative Code - Open Data Policy]
Sponsor: Mayor
Ordinance amending the San Francisco Administrative Code to add Section 22D to establish the City's Open Data policy and require City departments to make appropriate data available to the public.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Mar, Chu

24. 101025 [Directing the Budget and Legislative Analyst's to Conduct Three Audits in FY2010-2011 and Setting Priorities]
Sponsor: Mar
Motion directing the Budget and Legislative Analyst to conduct three audits to evaluate (a) the City's policies and revenues for advertising on private property; (b) the financial impact to the City of the fiscal provisions of the City's Memoranda of Understanding with labor unions; and (c) the impact of hiring five new positions in the Assessor's Office on the property assessment backlog and property tax revenue.

Question: Shall this Motion be APPROVED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Chiu

25. 100992 [General Plan - Portion of 222-2nd Street]
Ordinance amending the General Plan of the City and County of San Francisco by amending Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan to change the height and bulk classification of the west corner (within a rectangular area measuring 45 feet in length along the westernmost portion of the Howard Street frontage, to a depth of 82.5 feet) of the property located at 222-2nd Street (Assessor's Block No. 3735, Lot No. 063) from 150-S to 350-S and adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 100993 [Zoning Map - Portion of 222-2nd Street]
Ordinance amending the Zoning Map of the City and County of San Francisco by amending Zoning Map 1HT to change the height and bulk district classification of the west corner (within a rectangular area measuring 45 feet in length along the westernmost portion of the Howard Street frontage, to a depth of 82.5 feet) of the property located at 222-2nd Street (Assessor's Block No. 3735, Lot No. 063) from 150-S to 350-S and adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Mar, Chiu

27. 101229 [Planning Code - Landmark Designation of 1890 Chestnut Street (Marina Branch Library)]
Ordinance designating 1890 Chestnut Street (Marina Branch Library), Lot No. 001 in Assessor's Block No. 0469, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code Section 101.1 and environmental findings. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Land Use and Economic Development Committee With Recommendation "Do Not Pass"

Present: Supervisors Maxwell, Mar, Chiu

28. 101230 [Planning Code - Landmark Designation of 2000 Mason Street (North Beach Branch Library)]

Ordinance designating 2000 Mason Street (North Beach Branch Library), Lot No. 001 in Assessor's Block No. 0074, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code Section 101.1 and environmental findings. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, November 4, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, November 9, 2010.

29. 101332 [Reappointment, Treasure Island Development Authority Board of Directors - Claudine Cheng]

Motion approving the Mayor's reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014. (Clerk of the Board)

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)

Question: Shall this Motion be APPROVED?

30. 101334 [Reappointment, Treasure Island Development Authority Board of Directors - John Elberling]

Motion approving the Mayor's reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014. (Clerk of the Board)

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)

Question: Shall this Motion be APPROVED?

31. 101336 [Appointment, Treasure Island Development Authority Board of Directors - Linda Richardson]

Motion approving the Mayor's appointment of Linda Richardson to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014. (Clerk of the Board)

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)

Question: Shall this Motion be APPROVED?

32. 101338 [Reappointment, Treasure Island Development Authority Board of Directors - Jean-Paul Samaha]

Motion approving the Mayor's reappointment of Jean-Paul Samaha to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014 (Clerk of the Board)

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)

Question: Shall this Motion be APPROVED?

33. 101379 [Appointment, Small Business Commission - Robert Paterson]

Motion rejecting the Mayor's appointment of Robert Paterson to the Small Business Commission, for the term ending January 6, 2014. (Clerk of the Board)

(Charter Section 3.100 (17) provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - October 14, 2010.)

Question: Shall this Motion be APPROVED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 34 and 35

34. 101388 [Denouncing the Deportation of Shing Ma "Steve" Li and Urging Congress to Pass the DREAM Act]

Sponsors: Mar; Chiu, Avalos, Campos and Mirkarimi

Resolution denouncing the deportation of Shing Ma "Steve" Li, a DREAM Act student at City College of San Francisco, calling for Immigration and Customs Enforcement to grant him deferred action status, and urging Congress to pass the DREAM Act.

11/02/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 101376 [2011 Board of Supervisors Regular Meeting Schedule]
Motion establishing the 2011 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 18, February 22, May 31, July 5, October 11, and November 29; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 10 through September 2, 2011, and December 14 through December 30, 2011. (Clerk of the Board)

11/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

36. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from October 26, 2010, through November 1, 2010, for reference by President to appropriate committee on November 9, 2010.

101381 [Settlement of Lawsuit - Allison Ayer - $30,000]
Ordinance authorizing settlement of the lawsuit filed by Allison Ayer against the City and County of San Francisco for $30,000; the lawsuit was filed on January 28, 2010, in San Francisco Superior Court, Case No. CGC-10-496373; entitled Allison Ayer v. City and County of San Francisco, et al. (City Attorney)

10/27/2010; RECEIVED AND ASSIGNED to the Rules Committee.

101382 **[Settlement of Lawsuit - Charles Haynes - $50,000]**
Ordinance authorizing settlement of the lawsuit filed by Charles Haynes against the City and County of San Francisco for $50,000; the lawsuit was filed on January 23, 2009, in the United States District Court, Northern District of California, Case No. C09-00174 PJH; entitled Charles Haynes, et al. v. City and County of San Francisco, et al. (City Attorney)

10/27/2010; RECEIVED AND ASSIGNED to the Rules Committee.

101383 **[Settlement of Lawsuit - Guillermo Chavez - $30,000]**
Ordinance authorizing settlement of the lawsuit filed by Guillermo Chavez against the City and County of San Francisco for $30,000; the lawsuit was filed on October 2, 2009, in San Francisco Superior Court, Case No. 439-130; entitled Guillermo Chavez v. City and County of San Francisco, et al.; other material terms of said settlement are: 1) $10,000 to be paid to the San Francisco Tax Collector's Bureau of Delinquent Revenue to satisfy the medical lien for treatment in this case; 2) $11,555 to be allocated to attorney's fees and litigation costs; 3) the balance of $8,445 is to be paid to the Bureau of Delinquent Revenue to pay down money owed by plaintiff to the City for medical treatment unrelated to the injuries in the lawsuit. (City Attorney)

10/27/2010; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 26, 2010, through November 1, 2010, for reference by President to appropriate committee on November 9, 2010.

101331 **[Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]**
Resolution fixing prevalling wage rates for: (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (City Attorney)

10/28/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101374 **[Purchase Agreement - Subsurface Easements - Bay Division Pipeline Reliability Upgrade Project - Bay Tunnel - $650]**
Resolution approving and authorizing an Agreement for Purchase and Sale of Real Estate to obtain two permanent, exclusive, subsurface easements from Cargill, Incorporated, for the purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Bay Tunnel for a purchase price of $650; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

11/01/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101375 **[Construction Management Services Agreement - San Francisco General Hospital Rebuild Program - Not to Exceed $16,400,000]**
Resolution authorizing the Director of Public Works to execute an amendment to a professional construction management services agreement for the San Francisco General Hospital Rebuild Program from $8,000,000 to $16,400,000. (Public Works Department)

11/01/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101384 **[Settlement of Unlitigated Claim - Motorist Insurance Group and Ellis Brooks Chevrolet - $48,969.70]**
Resolution approving the settlement of the unlitigated claim filed by Motorist Insurance Group and Ellis Brooks Chevrolet against the City and County of San Francisco for $48,969.70; claim was filed on May 4, 2010. (City Attorney)

10/27/2010; RECEIVED AND ASSIGNED to the Rules Committee.

101391 **[Petitions and Communications]**
Petitions and Communications received from October 26, 2010, through November 1, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 9, 2010.

From State Department of Food and Agriculture, submitting notice that the State Department of Food and Agriculture is preparing a Programmatic Environmental Impact Report to evaluate the effects of implementing eradication and/or control strategies and methods for infestation of the European grapevine moth. Copy: Each Supervisor (1)

From Redevelopment Agency, submitting report on certain sales subject to California Health and Safety Code Section 33433. Copy: Each Supervisor (2)

From Department of Elections, submitting a memorandum detailing the Department's handling and processing of ballots for the November 2, 2010, Consolidated General Election. Copy: Each Supervisor (3)

From Department of Public Health, regarding the "Deemed Approved Uses" Program that addresses the role and responsibilities of businesses that sell alcohol in off-site venues in respect to community health and safety. Copy: Each Supervisor (4)

From Department of Public Works, submitting their annual report for FY2009-2010. (5)

From Alliance for Jobs and Sustainable Growth, regarding the Health Care Services Master Plan. File No. 101057, Copy: Each Supervisor, Land Use Committee (6)

From Academy of Art University, submitting report titled "Economic and Cultural Contributions to San Francisco and the Bay Area". (7)

From Branch Library Improvement Program, submitting their "2000 Branch Library Improvement Bond Quarterly Report" for the Third Quarter of 2010 (July through September). (8)

From Office of the Controller, submitting the Street and Sidewalk Maintenance Standards Annual Report for FY2009-2010. (9)

From concerned citizens, submitting support for proposed legislation regarding establishing the City's Open Data policy and require City departments to make appropriate data available to the public. File No. 101155, 5 letters (10)

From Office of Civic Engagement and Immigrant Affairs, submitting the Community Ambassadors Program Pilot Evaluation and Status Report. (11)

From Office of Citizen Complaints, submitting their Quarterly Report for the Third Quarter of 2010. Copy: Each Supervisor (12)

From Human Services Agency, submitting notice that the Human Services Commission has approved the Human Services Agency's revised FY2010-2011 savings projections for the Human Services Care Fund. Copy: Each Supervisor (13)

From Department of Public Works, regarding status of removing graffiti from newsstands at various locations in District 5. (Reference No. 20100921-005) (Reference No. 20101005-001) (Reference No. 20101019-001) (14)

From the Port, submitting the First Quarter Contracting Activity Report for FY2010-2011. Copy: Each Supervisor (15)

From Office of the Clerk of the Board, submitting the Ethics Commission amendments to the regulation which describes the exemption from the definition of "gifts." Copy: Each Supervisor (16)

From Office of the Controller, regarding the Cigarette Litter Abatement Fee Adjustment. Copy: Each Supervisor (17)

From concerned citizens, submitting support for proposed legislation regarding Safe Drug Disposal. File No. 100455, 6 letters (18)

From concerned citizens, submitting support for the Historic Preservation Commission's recommendation to designate the Marina and North Beach Branch libraries as San Francisco landmarks. File No. 101203, 7 letters (19)

From Marine Firemen's Union, submitting support for proposed legislation regarding the General Plan and Zoning Map amendments for a portion of 222-2nd Street. File Nos. 100992 and 100993, Copy: Land Use Committee Members and Clerk (20)

From Californians for Pesticide Reform, submitting support for proposed legislation regarding updating enforcement and compliance procedures for nuisance. File No. 101062, Copy: Each Supervisor (21)

From the Perry Communications Group, Inc., submitting copy of letter from Greenspirit Strategies, Ltd., opposing proposed legislation regarding the Safe Drug and Disposal Ordinance. (22)

From Jim Kirwan, regarding anti smoking legislation in San Francisco. 2 letters (23)

From Office of the Controller, submitting report concerning the contract between the San Francisco International Airport and SFO Shuttle Bus Company for shuttle bus service at the Airport, covering the period from January 1, 2007, through January 31, 2009. (24)

From Nafiss Griffis, concerning the number of fast food merchants around the Music Concourse in Golden Gate Park. (25)

From Jason Chadorchi, submitting support for the formation of a Civic Center Community Benefits District. File No. 101201 (26)

From Ivan Pratt, concerning an amateur approach to studying the law of the United States. (27)

From Arthur Evans, regarding Supervisor Avalos and Police Chief Gascon. (28)

From Josh Neubert, submitting support for proposed legislation that establishes the City's Open Data Policy and requires City departments to make appropriate data available to the public. File No. 101155 (29)

From Aaron Goodman, regarding the Parkmerced open-space site. (30)

From James Corrigan, commenting that the Fire Department has ended its practice of double parking of employee's private vehicles on Powell Street in Chinatown. (31)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relative to Alameda Creek. (32)

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: **Tuesday, November 16, 2010**

Time: **3:00 p.m.**

Location: **Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA**

Subject: **Public Hearing pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code Article 15, to consider establishment of a property-based assessment district to be known as the Ocean Avenue Community Benefits District**

Pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code Article 15, this is to notify you that a petition signed by property owners to form a property and business improvement district in your area was received by the Clerk of the Board of Supervisors on September 14, 2010. The proposed district would be known as the Ocean Avenue Community Benefits District (CBD).

If this Property and Business Improvement District is formed, it would authorize assessments against real property in the district for 15 years with services to be implemented January 1, 2011 through June 30, 2025. The Ocean Avenue Community Benefits District would fund and provide the following services:

1) Cleaning, Maintenance and Safety Program
2) Marketing, Streetscape Improvements, and Beautification Program
3) Management and Operations

GOVERNMENT
DOCUMENTS DEPT

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Formation of the property and business improvement district is subject to the approval of the Board of Supervisors after noticed public hearings and a vote by the property owners who would be subject to the assessments. Following public comment, ballots submitted by the property owners in the proposed Ocean Avenue Community Benefits District (CBD) will be counted by the Department of Elections and the results will be announced by the Board of Supervisors. If the ballot election does not result in a majority protest against formation of the proposed district, the Board of Supervisors may vote to establish the Ocean Avenue Community Benefits District (CBD).

Further information about this petition and proposed district, including the district management plan, which describes the boundaries, operations and activities of the proposed district, may be reviewed in Legislative File No. 100991 at the Office of the Clerk of the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco. Alternatively, information may be accessed on the Board of Supervisors web site at www.sfbos.org and on the Department of Elections Website at www.sfgov.org/elections.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102.

Angela Calvillo
Clerk of the Board

DATED/MAILED: October 21, 2010
PUBLISHED: November 5, 2010

AVISO DE AUDIENCIA PUBLICA

MESA DE SUPERVISORES DE LA CIUDAD Y EL CONDADO DE SAN FRANCISCO

Este anuncio avisa que la Mesa de Supervisores de la Ciudad y Condado de San Francisco tendra una audiencia publica para considererar la propuesta siguiente y que dicha audiencia ocurrira en el dia y local mencionado, donde personas interesadas pueden hacerse presente y declarar sus opiniones:

Fecha: **Martes, 16 de Noviembre, 2010**

Hora: **3:00 p.m.**

Ubicacion: **Camara Legislativa del Ayuntamiento, Cuarto 250, #1 Dr. Carlton B. Goodlett Place, San Francisco, CA**

Tema: **Audiencia Publica consequente a el Codigo estatal de mejoramientos de distritos de propiedades y negocios (Codigo de Calles y Carreteras 36600 et seq) y el Codigo Municipal de Reglamentaciones de Impuestos y Negocios Articulo 15, para considerar la creacion de un Distrito de Mejoramiento basado en propiedades que sera nombrado "Ocean Avenue Community Benefit District"**

De acuerdo con el Codigo estatal de mejoramientos de distritos de propiedades y negocios (Codigo de Calles y Carreteras 36600 et seq) y el Codigo Municipal de Reglamentaciones de Impuestos y Negocios Articulo 15, este aviso advierte que una peticion firmada por dueños de propiedades por razon de crear un distrito de mejoramiento fue recibido por la Secretaria de la Mesa de Supervisores el 14 de Septiembre de 2010. El distrito propuesto sera nombrado "Ocean Avenue Community Benefit District"

Si este Distrito de Mejoramiento es creado, autorizara impuestos adicionales contra propiedades en el distrito por quince (15) años con servicios que seran aplicados del 1 de Enero, 2011 hasta el 30 de Junio de 2025, El Ocean Avenue Community Benefit District financiara y proporcionara los servicios siguientes:

1) Programa de Limpia, Mantenimiento y Seguridad.
2) Programa de Beutificacion, Mejoramientos y Publicidad.
3) Programa de Operacion y Administracion.

La creacion de el distrito de mejoramiento es sujeto a la aprobacion de la Mesa de Supervisores despues de la conclusion de audiencias publicas y de un voto por dueños

de propiedades que serian afectados for los impuestos nuevos. A conclusion de audiencia publica, votos entregados por dueños de propiedades en el distrito del mejoramiento Ocean Avenue Community Benefit District seran tabulados por el Departamento de Elecciones, y el resultado sera anunciado por la Mesa de Supervisores. Si la eleccion no resulta en protesta de la mayoria contra el establecimiento de el distrito propuesto, la Mesa de Supervisores pueden via voto, autorizar el establecimiento del dicho Distrito.

Informacion adicional sobre esta peticion y el distrito propuesto, inclusive el plan de administracion de el distrito, que describe la operacion y las actividades del distrito propuesto pueden ser revisadas en la accion legislativa 100991 en la oficina de la Secretaria de la Mesa de los Supervisores, Ayuntamiento, Cuarto 244, 1 Dr. Carlton B. Goodlett Place, San Francisco. Alternativamente,dicha informacion se puede obtener via el Internet, en el sitio de la Mesa de Supervisores, www.sfbos.org.

De acuerdo con la Seccion 67.7-1 de el Codigo Administrativo de San Francisco, personas que no puedan acudir la audiencia publica pueden someter a consideracion observaciones por escrito antes de el comienzo de la audiencia. Tales observaciones se agregaran al record publico oficial y seran dado a la Mesa de Supervisores. Observaciones en escrito deben ser enviados a Angela Calvillo, Secretaria de la Mesa de Supervisores, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102.

Angela Calvillo
Secretaria de la Mesa de Supervisores

ENVIADO POR CORREO: 21 de Octubre, 2010
PUBLICADO: 5 de Noviembre, 2010

公聽會通告

三藩市市及縣政府參事會

三藩市市及縣政府市參事會將舉行公聽會考慮下列建議、有關各方可出席參加。

日期：星期二，2010 年11 月 16日

時間：下午 3:00 時

地點：立法會議廳、市政廳、250室1 Dr. Carlton B. Goodlett Place, San Francisco, CA

主題： 建議區 Ocean Avenue Community Benefits District

根據法律現通知你、市參事會書記於2010年9月14日收到你區的物業業主簽名提出建立物業和商業改良區的申請。建議區稱為Ocean Avenue Community Benefit District。

如果物業和商業改良區建立、它將會授權對你所屬區的物業進行十五年評估、服務於 2011年 1 月1日至 2025年6月30日實行。 Ocean Avenue Community Benefits District 將出資金提供以下服務：

1）清理，維護與安全計畫

2）場銷、街景改善和美化計畫

3）管理和運作

物業和商業改良區是否建立、是由市參事會通過公聽會和被評估的物業業主投票決定。公眾意見後、選舉處將計物業業主的票數、市參事會將公佈數票結果和投票建立Ocean Avenue Community Benefit District。

有關申請和建議區、包括區的管理計劃、即所建議區內的界限、運作和活動、請到市參事會書記部、市政廳大樓、244 室 1 Dr. Carlton B. Goodlett Place, San Francisco 或市參事網址 www.sfgov.org 詢查。

無法出席者可在公聽會開始前提交書面意見。這些書面意見將成為正式公共紀錄的一部分和供給市參事注意。書面意見應寄給市參事會書記, Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102。

Angela Calvillo
市參事會書記

郵寄： 2010 年 10 月 21日
公佈： 2010 年 11 月 5日

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, November 16, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

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Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at http://www.sfbos.org/meetings. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the Board Meeting on the third Tuesday of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 20

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi

1. **101099** **[Business and Tax Regulations Code - Common Administrative Provisions; Parking Tax; Business Registration]**

Sponsors: Mirkarimi; Dufty

Ordinance amending the San Francisco Business and Tax Regulations Code by: (1) amending Article 6 (Common Administrative Provisions) to revise provisions relating to: certificates of authority to collect third-party taxes; prepayment and remittance requirements for hotel and parking operators; enforcement procedures and penalties; and to otherwise clarify and update the provisions of Article 6; (2) amending Article 9 (Tax on Occupancy of Parking Space in Parking Stations), Article 10 (Utility Users Tax), and Article 12 (Business Registration), to lengthen the time period that service suppliers must preserve records from 4 years to 5 years and to extend the payment date of the registration certificate; (3) repealing Sections 608 through 608.8 of Article 9 (Tax on Occupancy of Parking Space in Parking Stations); and (4) amending the San Francisco Administrative Code by amending Article XIII (Funds), Chapter 10 (Finance, Taxation, and Other Fiscal Matters), to correct references to the California Government Code.

11/09/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. **101100** **[Business and Tax Regulations Code - Adding to the Definition of "Control," Revising the Enforcement Authority, and Making Other Nonsubstantive Changes]**

Sponsors: Mirkarimi; Dufty

Ordinance amending Article 22 of the Business and Tax Regulations Code by amending Sections 2201 through 2210, 2215, 2216, 2218, 2220, 2225, 2226, 2229, 2230, 2232, and 2233 and repealing Sections 2217, 2223, 2224, and 2237, to establish a presumption that certain operators, signatories and owners control the business affairs of the parking station, revise the Enforcing Agency's authority to permit the use of all authority granted by law and by Article 6 of this Code, and make other nonsubstantive changes.

11/09/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Avalos, Mirkarimi, Elsbernd

3. 101306 **[Purchase Agreement - Permanent Access Road Easement - Parcel Nos. 016-002-011 and 016-002-012 - Stanislaus County - $500]**
Resolution approving and authorizing an agreement for the purchase of a permanent access road easement totaling 751 square feet over a portion of Assessor's Parcel Nos. 016-002-011 and 016-002-012 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 for a purchase price of $500; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

4. 101307 **[Purchase Agreement - Permanent Access Road Easement - Parcel No. 016-002-048 - Stanislaus County - $2,500]**
Resolution approving and authorizing an agreement for the purchase of a permanent access road easement totaling 398 square feet over a portion of Assessor's Parcel No. 016-002-048 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301, for a purchase price of $2,500; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

5. 101314 **[Accept and Expend Grant - Environmental Assessment Heat Wave and Air Quality Project - $106,526]**
Sponsor: Chu
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the Centers for Disease Control and Prevention in the amount of $106,526 to fund the Environmental Health Assessment of Vulnerability to Heat Wave and Air Quality Project for the period September 1, 2010, through August 30, 2011.

Question: Shall this Resolution be ADOPTED?

6. 101315 **[Accept and Expend Grant - 2010 County Coverage Expansion Planning Project - $225,000]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $225,000 from the Blue Shield of California Foundation to fund the 2010 County Coverage Expansion Planning Project for the period of September 1, 2010, through August 31, 2011.

Question: Shall this Resolution be ADOPTED?

7. 101360 [Accept and Expend Grant - HIV Testing Disproportionately Affected Populations - $877,273]
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $877,273 from the Centers for Disease Control to fund the project Expanded HIV Testing for Disproportionately Affected Populations for the period of September 30, 2010, through September 29, 2011, waiving indirect costs.

Question: Shall this Resolution be ADOPTED?

8. 101362 [Accept and Expend Gift - Joseph Lee Recreation Center - $162,063]
Sponsor: Maxwell
Resolution authorizing the Recreation and Park Department to accept and expend a gift from the John and Lisa Pritzker Family Fund for $54,021 annually for FYs 2010-2011, 2011-2012, and 2012-2013, for a total of $162,063, for general operating support of Joseph Lee Recreation Center.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Maxwell

9. 101155 [Administrative Code - Open Data Policy]
Sponsor: Mayor
Ordinance amending the San Francisco Administrative Code to add Section 22D to establish the City's Open Data policy and require City departments to make appropriate data available to the public.

11/09/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Chiu

10. 100992 [General Plan - Portion of 222-2nd Street]
Ordinance amending the General Plan of the City and County of San Francisco by amending Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan to change the height and bulk classification of the west corner (within a rectangular area measuring 45 feet in length along the westernmost portion of the Howard Street frontage, to a depth of 82.5 feet) of the property located at 222-2nd Street (Assessor's Block No. 3735, Lot No. 063) from 150-S to 350-S and adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

11/09/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 100993 **[Zoning Map - Portion of 222-2nd Street]**
Ordinance amending the Zoning Map of the City and County of San Francisco by amending Zoning Map 1HT to change the height and bulk district classification of the west corner (within a rectangular area measuring 45 feet in length along the westernmost portion of the Howard Street frontage, to a depth of 82.5 feet) of the property located at 222-2nd Street (Assessor's Block No. 3735, Lot No. 063) from 150-S to 350-S and adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

11/09/2010: PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Mar, Chiu

12. 101229 **[Planning Code - Landmark Designation of 1890 Chestnut Street (Marina Branch Library)]**
Sponsor: Alioto-Pier
Ordinance designating 1890 Chestnut Street (Marina Branch Library), Lot No. 001 in Assessor's Block No. 0469, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code Section 101.1 and environmental findings. (Planning Department)

11/09/2010: PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 101227 **[Street Artist Spaces - 17th Street at Castro and Market Streets]**
Resolution approving continued designation of eight (8) former temporary selling spaces in "mini-plaza" on 17th Street at Castro and Market Streets for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces from the regulation of Police Code Section 2405(c)(11) relating to distance between street artists. (Arts Commission)

Question: Shall this Resolution be ADOPTED?

14. 101304 **[Crystal Springs Pipeline Number Two Replacement Project Findings]**
Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Crystal Springs Pipeline Number 2 Replacement Project No. CUW37801, part of the Water System Improvement Program for the improvements to the regional water supply system, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

15. 101305 [Lower Crystal Springs Dam Improvements Project Findings]
Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Lower Crystal Springs Dam Improvements Project No. CUW35401, including the Mitigation Habitat Actions at ten sites mostly in San Mateo County, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

16. 101288 [Settlement of Lawsuit - Cheryl Austin - $268,452]
Ordinance authorizing settlement of the lawsuit filed by Cheryl Austin against the City and County of San Francisco for $268,452, inclusive of attorneys' fees and costs; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC 10-498110; entitled Cheryl Austin v. City and County of San Francisco. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 101289 [Settlement of Lawsuit - Nyree Monroe - Up to $31,000]
Ordinance authorizing settlement of the lawsuit filed by Nyree Monroe against the City and County of San Francisco for up to $31,000; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC 10-498109; entitled Nyree Monroe v. City and County of San Francisco; other material terms of said settlement are reinstatement. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 101290 [Settlement of Lawsuit - Edward Kriete - $575,000]
Ordinance authorizing settlement of the lawsuit filed by Edward Kriete against the City and County of San Francisco for $575,000; the lawsuit was filed on April 17, 2009, in the San Francisco Superior Court, Case No. CGC 09-487483; entitled Edward Kriete v. City and County of San Francisco. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 101303 [Settlement of Lawsuit - Viz Media, LLC - $219,000]
Ordinance authorizing settlement of the lawsuit filed by Viz Media, LLC, against the City and County of San Francisco for $219,000; the lawsuit was filed on August 10, 2010, in San Francisco Superior Court, Case No. CGC-10-502460; entitled Viz Media, LLC, v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 101340 **[Settlement of Lawsuit - Regal Stone, Ltd. - City to Receive $3,717,096.52]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Regal Stone, Ltd. et al. for the sum of $3,717,096.52, including previous initial payment of $2,000,000, the lawsuit was filed on December 10, 2007, in San Francisco Superior Court, Case No. CGC-07-469876 (transferred to Monterey County Superior Court, Case No. M98173), entitled City and County of San Francisco, et al., v. Regal Stone, Ltd., et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

21. 100889 **[Adopting Findings Related to the Conditional Use Appeal on Property Located at 1268 Grant Street]**
Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 18160, approving Conditional Use Application 2010.0438C on property located at 1268 Grant Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu

22. 101157 **[Administrative Code - Updating Provisions Consistent with State and Local Law and Related Clean-Up Provisions on Employee Relations]**
Sponsor: Mayor
Ordinance amending Section 16.200 through Section 16.222 of the San Francisco Administrative Code regarding Employee Relations to update provisions consistent with state and local law and related clean-up provisions.

10/26/2010; CONTINUED ON FIRST READING.

11/09/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

23. 101062 [Updating Enforcement and Compliance Procedures for Nuisance]
Sponsors: Avalos; Campos
Ordinance amending the San Francisco Health Code Articles 6 and 11 by amending Sections 580, 581, 596, 599, and 600, and adding Sections 292.5, 596.5, 602.3, and 610 to: 1) add requirements for refuse collection and storage in multi-story residential facilities; 2) update nuisance definitions; 3) add potential attorneys' fees recovery for the prevailing party in those cases which the City elects to recover attorneys' fees; 4) require owners of rental property to provide contact information to the Department; 5) add civil penalties; and 6) expand administrative penalties and procedures.

(Supervisor Elsbernd dissented in Committee.)

10/26/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

24. 101271 [Appropriating $9,035,065 of Certificate of Participation Expenses for Capital Improvement Projects in the Department of Public Works and Mayor's Office on Disability for FY2010-2011]
Sponsor: Mayor
Ordinance appropriating $9,035,065 of Certificate of Participation Series 2011A Delivery Date Expenses to fund multiple Capital Improvement Projects in the Department of Public Works and Mayor's Office on Disability in the General Services Agency - Office of the City Administrator for FY2010-2011, and placing these funds on Controller's reserve pending issuance of the Certificates of Participation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 091106 [Approval of a Historical Property Contract for 1818 California Street (Lilienthal-Orville Pratt House)]
Sponsor: Alioto-Pier
Resolution under Chapter 71 of the San Francisco Administrative Code, approving a historical property contract between Nakamura FLP, the owner of 1818 California Street (Lilienthal-Orville Pratt House), and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract.

Question: Shall this Resolution be ADOPTED?

26. 101294 **[Professional Services Agreement - FSP PPM Management, LLC - Curbside Management Program - Not to Exceed $10,450,000]**

Resolution approving the Professional Services Agreement, Airport Contract 8994 - to manage and staff the Curbside Management Program between FSP PPM Management, LLC and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $10,450,000, pursuant to San Francisco Charter Section 9.118(b) (Airport Commission)

Question: Shall this Resolution be ADOPTED?

27. 101301 **[Approval of Contract - AnsaldoBreda, Inc. - Repair of Damaged LRVs - Not to Exceed $32,854,622]**

Resolution approving Contract No. CPT 626.02, repair of damaged light rail vehicles, between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and AnsaldoBreda, Inc., to rebuild up to seven damaged light rail vehicles, in an amount not to exceed $32,854,622, and for a term not to exceed six years, with expenditures limited to $13,000,000 pending certification of additional funding (Municipal Transportation Agency)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

28. 101359 **[Annual Report - Greater Union Square Business Improvement District and Modifying Management District Plan]**

Sponsor: Chiu

Resolution regarding Greater Union Square Business Improvement District, receiving and approving the District's Annual Report for FY2009-2010 as submitted pursuant to Section 36650 of the Property and Business Improvement District Law of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's Management Agreement with the City, which includes the District's proposed budget for FY2010-2011; modifying the Management District Plan in accordance with the Annual Report; and conforming the Management Agreement to changes in the Management District Plan.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

29. 101351 **[Planning Code - Zoning - Temporary Uses and Mobile Food Facilities]**

Sponsor: Dufty

Ordinance amending the San Francisco Planning Code by adding Section 102.31 to define a Mobile Food Facility, amending Section 205 and adding Section 205.4 to establish a new category of temporary uses, and amending Sections 212, 790.91, 790.93 and 890.90 to clarify that Mobile Food Facilities need not be conducted within enclosed buildings; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 101352 [Various Codes - Mobile Food Facilities - Department of Public Works Permitting Authority]
Sponsor: Dufty
Ordinance amending the San Francisco Police Code and San Francisco Public Works Code by repealing Articles 17.2 (Regulations for Mobile Caterers; Permit and License Provisions) and 17.3 (Permit Regulations for Pushcart Peddlers), transferring the regulations to a new Article 5.8 of the Public Works Code commencing with Section 184.80, redefining Mobile Caterers and Pushcart Peddlers as Mobile Food Facilities; making other amendments to implement the transfer, including new fee and penalty provisions and new notice and hearing procedures; amending Sections 440 and 451 of the San Francisco Health Code and repealing Section 249, amending Section 249.1, and adding Section 249.23 to the San Francisco Business and Tax Regulations Code to update definitions and add annual fees and plan check fees for Mobile Food Facilities; and adopting environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

31. 101079 [Water Efficient Irrigation]
Sponsors: Mayor; Maxwell and Mar
Ordinance amending the San Francisco Administrative Code by repealing Chapter 63 in its entirety and adding a new Chapter 63, requiring the development and maintenance of landscape irrigation controls for specified new construction landscapes and landscape rehabilitation projects.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 100765 [Support for the Preservation and Restoration of Sacred Heart Church]
Sponsor: Mirkarimi
Resolution urging the Department of Building Inspection to diligently monitor the status and the condition of the Historic Sacred Heart Church, documenting the understanding between the Megan Furth Academy and its neighbors, seeking re-installation of the exterior stained glass windows and requesting the City Attorney to open an investigation for the purpose of enforcing possible violation of the Building and Planning Codes.

(Supervisor Maxwell dissented in committee.)

06/15/2010; REFERRED to the Land Use and Economic Development Committee.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

33. 101220 [Appointment, San Francisco Public Utilities Commission - Art Torres]
Motion confirming the Mayor's appointment of Art Torres to the San Francisco Public Utilities Commission, Seat 2, for the term ending August 1, 2014. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present: Supervisors Campos, Alioto-Pier, Mar

34. 101347 **[Confirming Appointments, Treasure Island Development Authority Board of Directors - Larry Del Carlo and Larry Mazzola, Jr.]**
Sponsor: Mayor
Motion confirming the appointments of Larry Del Carlo to succeed John Rahaim; term ending February 26, 2013; and Larry Mazzola, Jr. to succeed Owen Stephens, term ending April 28, 2014, to the Treasure Island Development Authority Board of Directors.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 101353, approved November 2, 2010.)

35. 101354 **[Public Hearing - Resolution to Establish the Ocean Avenue Community Benefits District]**
Sponsor: Avalos
Hearing of persons interested in or objecting to proposed Resolution establishing a property-based business improvement district to be known as the "Ocean Avenue Community Benefits District," ordering the levy and collection of assessments against property located in that district for fifteen years commencing with FY2010-2011, subject to conditions as specified, and making environmental findings.

Action:_____

Committee of the Whole Adjourn and Report

36. 101355 **[Resolution to Establish the Ocean Avenue Community Benefits District]**
Sponsor: Avalos
Resolution establishing a property-based business improvement district to be known as the "Ocean Avenue Community Benefits District," ordering the levy and collection of assessments against property located in that district for fifteen years commencing with FY2010-2011, subject to conditions as specified, and making environmental findings.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm*

37. 101041 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 10 Bernal Heights Boulevard]

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 1, 2010, Determination of Exemption from Environmental Review identified as Planning Case No. 2010.0306C, by its Motion No. 18131, which included the exemption determination, that a project located at 10 Bernal Heights Boulevard is exempt from environmental review under California Environmental Quality Act (CEQA) Guidelines Sections 15301 Class (1), 15303 (Class 3), and 15311 (Class 11), to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park within an RH-1(D) (Residential, House, Single-Family, Detached) Zoning District and a 40-X Height and Bulk District, on property located at 10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548. (District 9) (Appellant: Erick Arguello on behalf of the Lower 24th Street Merchant Association.)

(Filed August 2, 2010; Companion Measure to File Nos. 101042, 101043, 101044)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

10/19/2010; CONTINUED.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

38. 101042 **[Affirming the Exemption Determination for 10 Bernal Heights Boulevard]**
Motion affirming the determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review (Clerk of the Board)

09/14/2010 CONTINUED

09/28/2010 CONTINUED

10/19/2010, CONTINUED

Question: Shall this Motion be APPROVED?

39. 101043 **[Reversing the Exemption Determination Issued for 10 Bernal Heights Boulevard]**
Motion reversing the determination by the Planning Commission that the 10 Bernal Heights Boulevard project is exempt from environmental review. (Clerk of the Board)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

10/19/2010, CONTINUED.

Question: Shall this Motion be APPROVED?

40. 101044 **[Preparation of Findings to Reverse the Exemption Determination for the 10 Bernal Heights Boulevard Project]**
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review. (Clerk of the Board)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

10/19/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

41. 101045 [Public Hearing - Conditional Use Appeal for 10 Bernal Heights Boulevard]
Hearing of persons interested in or objecting to the decision of the Planning Commission's July 1, 2010, Conditional Use Permit identified as Planning Case No. 2010.0306C, by its Motion No. 18131, under Planning Code Sections 209.6(b) and 303, to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park and to modify the Conditional Use approval under Case No. 2008.1157C to change the number of allowed antennas on the site within the RH-1(D) (Residential, House, Single-Family, Detached) Zoning District, and a 40-X Height and Bulk District, on property located at 10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548. (District 9) (Filed by Erick Arguello on behalf of the Lower 24th Street Merchant Association, and subscribed by Supervisors Campos, Mar, Chiu, Chu, Mirkarimi, and Avalos.)

(Filed August 2, 2010; Companion Measure to File Nos. 101046, 101047, 101048.)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

10/19/2010; CONTINUED.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

42. 101046 [Approving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]
Motion approving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application No. 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1 (Clerk of the Board)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

10/19/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

43. 101047 **[Disapproving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]**
Motion disapproving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

09/14/2010, CONTINUED

09/28/2010, CONTINUED

10/19/2010, CONTINUED

Question: Shall this Motion be APPROVED?

44. 101048 **[Preparation of Findings Related to the Conditional Use Appeal for 10 Bernal Heights Boulevard]**
Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Application No. 2010.0306C on property located at 10 Bernal Heights Boulevard (Clerk of the Board)

09/14/2010, CONTINUED

09/28/2010, CONTINUED

10/19/2010, CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to approval of Item No. 55, File No. 101404)

45. 101405 **[Public Hearing - Appointing a Successor Mayor]**
Sponsors: Avalos; Campos and Daly
Hearing to consider the motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

Action:_____

Committee of the Whole Adjourn and Report

46. 101406 **[Appointing a Successor Mayor]**
Sponsors: Avalos; Campos and Daly
Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, November 15, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, November 16, 2010.

47. 101057 **[Planning Code - Health Care Services Master Plan]**
Sponsors: Campos; Mar, Maxwell, Mirkarimi, Avalos, Chiu and Daly
Ordinance amending the San Francisco Planning Code by adding Sections 342 to 342.10 requiring the preparation of a Health Care Services Master Plan identifying the current and projected needs for, and locations of, health care services within San Francisco and recommending how to achieve and maintain appropriate distribution of, and equitable access to, such services; requiring that medical institutions applying for land use approvals obtain a consistency determination from the Planning Commission determining that the proposed use promotes the goals recommended in the Master Plan; providing fees for the consistency determination, and making findings, including findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 48 through 55

48. 101398 **[Accept and Expend Grant - Project ITRIP - $42,384]**
Sponsor: Chu
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $42,384 from the University of California, San Francisco (UCSF), to fund the project ITRIP Follow Up; for the period of September 1, 2010, through February 28, 2011, waiving indirect costs. (Public Health Department)

11/09/2010: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 101399 **[Accept and Expend Grant - WritersCorps Program - $10,200]**
Sponsor: Chu
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $10,200 from the California Arts Council's Artists in Schools Program to help support the cost of a WritersCorps contracted teaching artist at Mission High School in San Francisco. (Arts Commission)

11/09/2010: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 101400 **[Accept and Expend Grant - Arts Commission's Art Education Program - $15,000]**
Sponsor: Chu
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $15,000 from the California Art Council to help support the Arts Commission's Arts Education Program. (Arts Commission)

11/09/2010: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

51. 101401 **[Supporting the Promotion and Deployment of Broadband Internet Access in California and San Francisco]**
Sponsor: Chiu
Resolution joining with 31 California counties in supporting the work of the California Emerging Technology Fund's Get Connected! public awareness program; embracing the California Emerging Technology Fund's goal to achieve broadband Internet access at home for 80% of all Californians by 2015; embracing a goal to achieve broadband Internet access for 90% of San Franciscans by 2015, with a focus on connecting seniors and low income households; requesting that the Department of Technology report back on strategic actions planned that will remove barriers and promote the deployment and adoption of broadband.

11/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. 101402 **[Declaring November 18, 2010, as Bay Area Young Positives Day]**
Sponsors: Dufty; Campos
Resolution declaring November 18, 2010, as Bay Area Young Positives Day to recognize 20 years of providing peer-based, specialized, culturally competent services to the San Francisco Bay Area's HIV positive youth.

11/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 101403 **[Declaring December 9, 2010, as CHEER SF Day in San Francisco]**
Sponsors: Dufty; Campos
Resolution declaring December 9, 2010, as CHEER SF Day in San Francisco to commemorate the 30th Anniversary of the world's first LGBT-identified cheerleading team that raises funds for local, national, and international service agencies.

11/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

54. 101139 **[Process for Nominating and Selecting a Successor Mayor]**
Sponsor: Chiu
Motion directing the Clerk of the Board of Supervisors to propose a process for nominating and selecting a successor to the Mayor.

11/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

55. 101404 **[Committee of the Whole - Public Hearing to Consider the Appointment of a Successor Mayor]**
Sponsor: Avalos
Motion that the Board convene as a Committee of the Whole on November 16, 2010, to consider the appointment of successor Mayor for the City and County of San Francisco.

11/09/2010 REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda

56. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTION

Proposed resolutions received from November 2, 2010, through November 8, 2010, for reference by President to appropriate committee on November 16, 2010.

100598 **[Lease of Real Property at 238 Eddy Street]**
Resolution authorizing the Master Lease of the Windsor Hotel at 238 Eddy Street for the Department of Public Health. (Real Estate Department)

11/08/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101392 **[Petitions and Communications]**
Petitions and Communications received from November 2, 2010, through November 8, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 16, 2010.

From concerned citizens, submitting opposition to proposed legislation regarding setting nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items. File No. 101096, 23 letters (1)

From concerned citizens, submitting support for proposed legislation regarding setting nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items. File No. 101096, 2 letters (2)

From the Port, regarding funding for the construction project at Exploratorium Piers 15/17. File No. 091178 (3)

From Dominic Maionchi, regarding the West Harbor renovation. File No. 101302 (4)

From Library Users Association, submitting support for proposed legislation designating the North Beach Branch Library as a landmark in San Francisco. File No. 101230, 2 letters (5)

From Lee Goodin, submitting opposition to proposed legislation designating the North Beach Branch Library as a landmark in San Francisco. File No. 101230, 2 letters (6)

From Aaron Goodman, regarding the Parkmerced project. 3 letters (7)

From Bay Area Clean Water Agencies, submitting support for proposed legislation regarding Safe Drug Disposal. File No. 100455 (8)

From Office of the Controller, submitting the Parks Maintenance Standards Annual Report for FY2010-2011. (9)

From Office of the Controller, submitting the August 2010 Government Barometer Report. (10)

From Office of the Treasurer and Tax Collector, submitting their Investment activity for fiscal year-to-date of the portfolios under the Treasurer's management. (11)

From Cristi Sturgill, regarding sitting or lying down on a public sidewalk in San Francisco. (12)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from November 5, 2010, until November 7, 2010. Supervisor Carmen Chu will serve as Acting-Mayor. Copy: Each Supervisor, City Attorney (13)

From Department of Public Health, submitting their Annual Report of gifts received in FY2009-2010. (14)

From Department of Human Resources, submitting their Annual Report on sexual harassment complaints filed in FY2009-2010. Copy: Each Supervisor (15)

From Chloe Jager, urging the Board of Supervisors to pass legislation banning smoking on the fire escapes in apartment buildings. (16)

From James Corrigan, regarding the number of firefighters at Starbuck's and Pete's coffee shops. (17)

From T Mobile, submitting notification of two cellular antennas to be installed at 2016 Chestnut Street. (18)

From Ivan Edgar Pratt, urging people to support and donate funds to the San Francisco City Academy School. (19)

From Dr. Schneider, submitting support for the public park at Sharp Park. (20)

From State Fish and Game Commission, submitting notice of the new hearing date regarding the Alameda Creek. (21)

From concerned citizens, submitting opposition to proposed Westside recycled water treatment plant in Golden Gate Park. 7 letters. (22)

From James Chaffee, regarding the Library Commission. (23)

From Francisco Da Costa, regarding the Lennar Corporation. (24)

From Michele Garside, regarding open space in San Francisco. (25)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

GOVERNMENT DOCUMENTS DEPT
NOV 19 2010
SAN FRANCISCO PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, November 23, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at http://www.sfbos.org/meetings. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the October 19, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 7

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 101271 **[Appropriating $9,035,065 of Certificate of Participation Expenses for Capital Improvement Projects in the Department of Public Works and Mayor's Office on Disability for FY2010-2011]**
Sponsor: Mayor
Ordinance appropriating $9,035,065 of Certificate of Participation Series 2011A Delivery Date Expenses to fund multiple Capital Improvement Projects in the Department of Public Works and Mayor's Office on Disability in the General Services Agency - Office of the City Administrator for FY2010-2011, and placing these funds on Controller's reserve pending issuance of the Certificates of Participation.

11/16/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu

2. 101157 **[Administrative Code - Updating Provisions Consistent with State and Local Law and Related Clean-Up Provisions on Employee Relations]**
Sponsor: Mayor
Ordinance amending Section 16.200 through Section 16.222 of the San Francisco Administrative Code regarding Employee Relations to update provisions consistent with state and local law and related clean-up provisions.

10/26/2010; CONTINUED ON FIRST READING.

11/09/2010; CONTINUED ON FIRST READING.

11/16/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

3. 101288 **[Settlement of Lawsuit - Cheryl Austin - $268,452]**
Ordinance authorizing settlement of the lawsuit filed by Cheryl Austin against the City and County of San Francisco for $268,452, inclusive of attorneys' fees and costs; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC 10-498110; entitled Cheryl Austin v. City and County of San Francisco. (City Attorney)

11/16/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 101289 **[Settlement of Lawsuit - Nyree Monroe - Up to $31,000]**
Ordinance authorizing settlement of the lawsuit filed by Nyree Monroe against the City and County of San Francisco for up to $31,000; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC 10-498109; entitled Nyree Monroe v. City and County of San Francisco; other material terms of said settlement are reinstatement. (City Attorney)

11/16/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 101290 **[Settlement of Lawsuit - Edward Kriete - $575,000]**
Ordinance authorizing settlement of the lawsuit filed by Edward Kriete against the City and County of San Francisco for $575,000; the lawsuit was filed on April 17, 2009, in the San Francisco Superior Court, Case No. CGC 09-487483; entitled Edward Kriete v. City and County of San Francisco. (City Attorney)

11/16/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 101303 **[Settlement of Lawsuit - Viz Media, LLC - $219,000]**
Ordinance authorizing settlement of the lawsuit filed by Viz Media, LLC, against the City and County of San Francisco for $219,000; the lawsuit was filed on August 10, 2010, in San Francisco Superior Court, Case No. CGC-10-502460; entitled Viz Media, LLC, v. City and County of San Francisco, et al. (City Attorney)

11/16/2010; PASSED, ON FIRST READING

Question: Shall this Ordinance be FINALLY PASSED?

7. 101340 **[Settlement of Lawsuit - Regal Stone, Ltd. - City to Receive $3,717,096.52]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Regal Stone, Ltd, et al. for the sum of $3,717,096.52, including previous initial payment of $2,000,000; the lawsuit was filed on December 10, 2007, in San Francisco Superior Court, Case No. CGC-07-469876 (transferred to Monterey County Superior Court, Case No. M98173); entitled City and County of San Francisco, et al., v. Regal Stone, Ltd., et al. (City Attorney)

11/16/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration of the Mayor's veto pursuant to Charter Section 2.106 of an Ordinance amending the San Francisco Health Code by adding Sections 471.1 through 471.9, to set nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items.

8. 101096 **[Health Code - Setting Nutritional Standards for Restaurant Food Sold Accompanied by Toys or Other Youth Focused Incentive Items]**
Sponsors: Mar; Campos, Chiu and Avalos
Ordinance amending Article 8 of the San Francisco Health Code by adding Sections 471.1 through 471.9, to set nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on November 12, 2010. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before December 12, 2010.

10/19/2010; CONTINUED ON FIRST READING.

11/02/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/02/2010; PASSED ON FIRST READING AS AMENDED.

11/09/2010; FINALLY PASSED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

9. 091106 **[Approval of a Historical Property Contract for 1818 California Street (Lilienthal-Orville Pratt House)]**
Sponsor: Alioto-Pier
Resolution under Chapter 71 of the San Francisco Administrative Code, approving a historical property contract between Nakamura FLP, the owner of 1818 California Street (Lilienthal-Orville Pratt House), and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract.

11/16/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

10. 101351 **[Planning Code - Zoning - Temporary Uses and Mobile Food Facilities]**
Sponsor: Dufty
Ordinance amending the San Francisco Planning Code by adding Section 102.31 to define a Mobile Food Facility, amending Section 205 and adding Section 205.4 to establish a new category of temporary uses, and amending Sections 212, 790.91, 790.93 and 890.90 to clarify that Mobile Food Facilities need not be conducted within enclosed buildings; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

11/16/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 101352 **[Various Codes - Mobile Food Facilities - Department of Public Works Permitting Authority]**
Sponsor: Dufty
Ordinance amending the San Francisco Police Code and San Francisco Public Works Code by repealing Articles 17.2 (Regulations for Mobile Caterers; Permit and License Provisions) and 17.3 (Permit Regulations for Pushcart Peddlers), transferring the regulations to a new Article 5.8 of the Public Works Code commencing with Section 184.80, redefining Mobile Caterers and Pushcart Peddlers as Mobile Food Facilities; making other amendments to implement the transfer, including new fee and penalty provisions and new notice and hearing procedures; amending Sections 440 and 451 of the San Francisco Health Code and repealing Section 249, amending Section 249.1, and adding Section 249.23 to the San Francisco Business and Tax Regulations Code to update definitions and add annual fees and plan check fees for Mobile Food Facilities; and adopting environmental findings.

11/16/2010; AMENDED.

11/16/2010; AMENDED.

11/16/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

12. 101057 **[Planning Code - Health Care Services Master Plan]**
Sponsors: Campos; Mar, Maxwell, Mirkarimi, Avalos, Chiu and Daly
Ordinance amending the San Francisco Planning Code by adding Sections 342 to 342.10 requiring the preparation of a Health Care Services Master Plan identifying the current and projected needs for, and locations of, health care services within San Francisco and recommending how to achieve and maintain appropriate distribution of, and equitable access to, such services; requiring that any change of use to a Medical Use, as defined, that will occupy a space exceeding 10,000 gross square feet of floor area, or an expansion of any existing Medical Use by at least 5,000 gross square feet of floor area obtain a Consistency Determination from the Planning Commission or the Planning Department determining that the proposed use or expansion promotes the goals recommended in the Master Plan; providing fees for time and material costs incurred to prepare the Consistency Determination, and making findings, including findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1 and environmental findings.

11/16/2010; AMENDED.

11/16/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

13. 101079 **[Administrative Code - Water Efficient Irrigation]**
Sponsors: Mayor; Maxwell and Mar
Ordinance amending the San Francisco Administrative Code by repealing Chapter 63 in its entirety and adding a new Chapter 63, requiring the development and maintenance of landscape irrigation controls for specified new construction landscapes and landscape rehabilitation projects.

11/16/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

14. 100455 **[Environment Code - San Francisco Safe Drug Disposal Ordinance]**
Sponsor: Mirkarimi
Ordinance amending the San Francisco Environment Code by adding Chapter 22, Sections 2201 through 2211, to: require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources; provide for implementation, enforcement, fees, and penalties; and phase-in the application of the Chapter to non-prescription drugs and controlled substances; and making environmental findings.

(Supervisor Elsbernd dissented in Committee.)

10/26/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/26/2010; CONTINUED AS AMENDED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 101062 **[Health Code - Updating Enforcement and Compliance Procedures for Nuisance]**
Sponsors: Avalos; Campos
Ordinance amending San Francisco Health Code Article 11 by amending Sections 580, 581, 596, 599, and 600, and adding Sections 596.5, and 610 to: 1) update nuisance definitions; 2) add potential attorneys' fees recovery for the prevailing party in those cases which the City elects to recover attorneys' fees; 3) add civil penalties; and 4) expand administrative penalties and procedures.

10/26/2010; CONTINUED ON FIRST READING.

11/16/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/16/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

16. 101331 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]

Resolution fixing prevailing wage rates for: (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (City Attorney)

Question: Shall this Resolution be ADOPTED?

17. 101386 [Water Revenue Bonds Issuance for 2010 - Not to Exceed $600,000,000]

Sponsor: Elsbernd

Resolution approving the issuance of water revenue bonds and water revenue refunding bonds in an aggregate principal amount not to exceed $600,000,000 to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

18. 101075 [Building Code - Development Fee Collection Procedure and Administrative Fee]

Sponsor: Mayor

Ordinance amending the San Francisco Building Code by amending Section 107A.13 to modify the method of calculating the development fee deferral surcharge rate and to clarify when a project sponsor may elect to defer the payment of development impact and in-lieu fees, adopting environmental finding.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 101193 **[Approving General Plan Amendments in Connection with the Better Streets Plan]**

Sponsors: Mayor; Mar

Ordinance amending the Urban Design and Transportation Elements of the San Francisco General Plan to incorporate the San Francisco Better Streets Plan by reference, and to make objectives and policies relating to pedestrian transportation consistent with the Better Streets Plan, making environmental findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 101194 **[Administrative Code, Public Works Code and Subdivision Code - Better Streets Plan Implementation]**

Sponsors: Mayor; Mar

Ordinance adopting the Better Streets Plan; amending Chapter 98.1 of the Administrative Code to require street improvements to conform with the policies and guidance of the San Francisco Better Streets Plan (Better Streets Plan); amending various sections of the Planning Code to consolidate requirements for street improvements; to require street improvements to follow the policies and guidance of the Better Streets Plan; to expand and modify existing requirements for provision of street trees; to require specified projects to submit a streetscape plan with application submission; and to describe additional requirements for certain areas of the City subject to neighborhood streetscape plans, including Downtown and Rincon Hill; amending various sections of the Public Works Code to be consistent with the Better Streets Plan, including waiving public right-of-way occupancy fees for Better Streets Plan elements; amending Sections 1335, 1336, and 1337 of the Subdivision Code to require streetscape, pedestrian, and stormwater improvements consistent with the Better Streets Plan as part of subdivision approvals; and making findings, including environmental findings and findings that the Planning Code amendments and General Plan amendments are consistent, on balance, with the General Plan and Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 101219 **[Relocation Impact Study and Last Resort Housing Plan for Central Subway Project]**

Ordinance approving the San Francisco Municipal Transportation Agency's Relocation Impact Study and Last Resort Housing Plan for the Central Subway Project. (Municipal Transportation Agency)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

22. 101190 **[Police Code - Registration and Other Requirements for Event Promoters]**
Sponsors: Chiu; Maxwell
Ordinance adding Article 15.7 to the San Francisco Police Code, requiring event promoters to register with the Entertainment Commission; prohibiting holders of certain entertainment-related permits, and registered promoters, from retaining an unregistered promoter to hold an event; and authorizing under certain circumstances for certain promoters reporting requirements, increased security plan requirements for events they promote, general liability insurance requirements, a criminal background check requirement, and other requirements.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of Item No. 33, File No. 101455.)

23. 101456 **[Public Hearing - Process for the Appointment of a Successor Mayor; Possibly Amending Rules of Order]**
Hearing to discuss the proposed Motion to consider and approve a one-time process to appoint a successor Mayor, if a vacancy occurs; possibly amending the Rules of Order by adding a new Section 7, creating said process; and waiving Rule 4.38, which refers amendments to the Rules of Order to the Rules Committee. (Clerk of the Board)

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Committee of the Whole Adjourn and Report

24. 101457 **[Creating a Process for the Appointment of a Successor Mayor; Possibly Amending Rules of Order]**
Motion to consider and approve a one-time process to appoint a successor Mayor, if a vacancy occurs; possibly amending the Rules of Order by adding a new Section 7, creating said process; and waiving Rule 4.38, which refers amendments to the Rules of Order to the Rules Committee. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of Item 34, File No. 101465.)

25. 101466 **[Public Hearing - Appointment of a Successor Mayor]**
Sponsor: Daly
Hearing to discuss the proposed Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Committee of the Whole Adjourn and Report

26. 101467 **[Appointment of a Successor Mayor]**
Sponsor: Daly
Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, November 18, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, November 23, 2010.

(Only one of the following two motions should be approved.)

27. 101237 **[Appointment, Planning Commission - Rodney Fong]**
Sponsor: Mayor
Motion approving the Mayor's appointment of Rodney Fong to the Planning Commission term ending July 1, 2014.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File No. 101238. Transmittal date - September 24, 2010.)

Question: Shall this Motion be APPROVED?

28. 101238 **[Appointment, Planning Commission - Rodney Fong]**
Motion rejecting the Mayor's appointment of Rodney Fong to the Planning Commission term ending July 1, 2014.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File No. 101237. Transmittal date - September 24, 2010.)

Question: Shall this Motion be APPROVED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 29 through 34

29. 101390 **[Gift Acceptance – Equipment and Furnishings - $14,000]**
Sponsor: Elsbernd
Resolution authorizing the Department of Public Health, Laguna Honda Hospital and Rehabilitation Center, to accept a gift of merchandise, furniture, fixtures and equipment from Laguna Honda Volunteers, Inc. with a monetary value of up to $14,000.

11/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 101451 **[Accept and Expend Grant - High Risk Program and Pest Exclusion/Nursery Inspection - $47,796]**
Sponsor: Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively two grants (Agreement Nos. 10-0539 and 10-0404) totaling $47,796 from the California Department of Food and Agriculture to fund the High Risk Program and the Pest Exclusion/Nursery Inspection, both for the period of July 1, 2010, through June 30, 2011.

11/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 101452 **[Accept and Expend Grant - Crucial Transitions in Young Opioid Users in Iran - $6,280]**

Sponsor: Chu

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $6,280 from the University of California San Francisco, to participate in a program entitled "Crucial Transitions in Young Opioid Users in Iran," for the period of November 1, 2010, through August 31, 2011.

11/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 101407 **[Committee of the Whole - December 7, 2010 – Public Hearing to Acquire Various Real Properties by Eminent Domain for Transbay Transit Center Program]**

Sponsor: Daly

Motion that the Board of Supervisors hold a public hearing on December 7, 2010, at 3:00 p.m., with the Board of Supervisors sitting as a Committee of the Whole, to consider acquisition of various real properties by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

11/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

33. 101455 **[Committee of the Whole - Public Hearing to Create a Process for the Appointment of a Successor Mayor; Possibly Amending Rules of Order]**

Motion that the Board of Supervisors convene as a Committee of the Whole on November 23, 2010, at 3:00 p.m. to approve a one-time process to appoint a successor Mayor, if a vacancy occurs; possibly amending the Rules of Order by adding a new Section 7, creating said process; and waiving Rule 4.38, which refers amendments to the Rules of Order to the Rules Committee. (Clerk of the Board)

11/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

34. 101465 **[Committee of the Whole – Public Hearing to Take Nominations and Appoint a Successor Mayor in the Event of a Vacancy in the Office of the Mayor]**

Sponsor: Daly

Motion that the Board of Supervisors convene as a Committee of the Whole on November 23, 2010, at 3:00 p.m., to discuss the proposed Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

11/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda:

35. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from November 9, 2010, to November 15, 2010, for reference by President to appropriate committee on November 23, 2010.

101463 **[Settlement of Lawsuit - Lexington Insurance - City to Receive $2,750,000; Appropriating Settlement Proceeds]**
Ordinance authorizing settlement of the lawsuit entitled City and County of San Francisco v. Lexington Insurance Company, San Francisco County Superior Court Case No: CGC-10-498967 (Action), removed to United States District Court, N.D. Cal., Case No: 3:10-CV1-02188-SI, arising from an insurance coverage dispute involving a claims-made Designers and Construction (i.e., professional liability) Project Specific Professional Liability and Pollution Liability Policy issued by Lexington Insurance Company (Lexington) to the San Francisco Public Utilities Commission for the period February 1, 2002, to February 1, 2006, policy number 1152114 (Lexington Policy), calling for payment of $2,750,000 from Lexington to the City and County of San Francisco and including other material terms of said settlement: (1) Lexington will have no further obligations under the Lexington Policy and said policy shall be considered null and void and of no further force and effect; (2) San Francisco will defend and hold harmless and indemnify Lexington from and against any demand against Lexington made under the Lexington Policy; (3) all parties will execute a mutual release; (4) San Francisco will execute and file a dismissal of all claims with prejudice; (5) the City and Lexington each shall bear its own legal costs and fees arising from this action; and appropriating the full proceeds from the settlement to fund the San Francisco Public Utilities Commission's attorney fees and legal expenses related to certain pending litigation matters. (City Attorney)

11/15/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101464 **[Planning Code - Zoning - Amendment of Upper Market Neighborhood Commercial District; Extension of Market and Octavia Community Infrastructure Fee Area]**
Ordinance amending the San Francisco Planning Code by amending Sections 134, 145.4, 151.1, 155, 207.7, 207.8, 263.20, 401, 416, 416.3, 416.5, 421.1, 421.3, 421.5, 721, and 721.1 to amend the Upper Market Street Neighborhood Commercial District and to extend the Market and Octavia Community Infrastructure Fee area to include the portion of the Upper Market Street Neighborhood Commercial District lying outside the Market and Octavia Plan area; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

11/15/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 9, 2010, to November 15, 2010, for reference by President to appropriate committee on November 23, 2010.

101460 **[Airport Concession Lease - Melshire DFW, L.P.]**
Resolution approving the Terminal 2 Specialty Store Lease between Melshire DFW, L.P. dba Natalie's Candy Jar, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

11/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101461 **[Contract Amendment - Sunol Valley Regional Construction Management Services - Water System Improvement Program Projects - Not to Exceed $19,000,000]**
Resolution authorizing an amendment to the San Francisco Public Utilities Commission contract CS- 915R for Sunol Valley Regional Construction Management Services in the amount not to exceed $ 3,000,000, for a total agreement not to exceed amount of $19,000,000 to fund Construction Management Services for Bioregional Habitat Restoration actions required for various Water System Improvement Program Projects within the Sunol Valley Region, Alameda County, pursuant to Charter Section 9.118, and adopting findings pursuant to the California Environmental Quality Act. (Public Utilities Commission)

11/15/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101462 **[Contract Amendment - Peninsula Habitat Restoration Construction Management Services - Water System Improvement Program Projects - Not to Exceed $26,000,000]**
Resolution authorizing an amendment to the San Francisco Public Utilities Commission Contract No. CS- 916 for Peninsula Regional Construction Management Services in the amount not to exceed $ 4,000,000, for a total agreement not to exceed amount of $26,000,000 to fund Construction Management Services for Bioregional Habitat Restoration actions required for various Water System Improvement Program Projects within the Peninsula Region, San Mateo County, pursuant to Charter Section 9.118, and adopting findings pursuant to the California Environmental Quality Act. (Public Utilities Commission)

11/15/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101459 [Petitions and Communications]

Petitions and Communications received from November 9, 2010, through November 15, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 23, 2010.

From Luce, Forward, Hamilton & Scripps LLP, submitting opposition to proposed resolution regarding enforcement of preservation and restoration of Sacred Heart Church. File No. 100765, Copy: Each Supervisor (1)

From Office of the Mayor, submitting a letter communicating the veto of ordinance that proposes a prohibition on the inclusion of incentives such as toys in certain types of fast food meals. File No. 101096, Copy: Each Supervisor (2)

From concerned citizens, submitting opposition to proposed legislation regarding setting nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items. File No. 101096, 11 letters (3)

From Kimo Crossman, regarding Best Practices on how the Sunshine Ordinance Task Force, Ethics Commission, and the City Attorney should post their cases and rulings online. (4)

From concerned citizens, submitting support for proposed legislation regarding Safe Drug Disposal. File No. 100455, 7 letters (5)

From Carla K., submitting support for the new North Beach Branch Library. File No. 101203 .(6)

From Aaron Goodman, concerning California's Environmental Quality Act Procedures, Appeals, and Public Notices. File No. 100495 (7)

From Office of the Controller, submitting the results of the follow-up review of the Branch Library Improvement Program. (8)

From Office of the Controller, submitting report referred to as Resources for Improved Streetscape Design and Maintenance. (9)

From Francisco Da Costa, regarding San Francisco's Local Hiring Policy for construction and related matters. (10)

From Stewart McKenzie, regarding bike lanes on Division Street. Copy: Supervisor Daly (11)

From Ray Hartz, regarding the Sunshine Ordinance Task Force and the Ethics Commission. (12)

From Juliana Flint, regarding the ban on sitting on city sidewalks. (13)

From Magda Havas, concerning the proposed cell tower for dome of Ner Tamid Synagogue. (14)

From Jennifer Blum, regarding the First Responder training program. (15)

From Roy Blakely, regarding crime in the San Francisco. Copy: Supervisor Chiu (16)

From Aaron Goodman, regarding the long-term impacts of extensive redevelopment by two agencies. (17)

From California Public Utilities Commission, submitting notification that Pacific Gas and Electric Company has filed an application to recover costs from contributing matching funds to support the establishment of a photovoltaic manufacturing development facility. Copy: Each Supervisor (18)

From Municipal Transportation Agency, responding to request to identify staff contacts for the purpose of participating in a Japantown City Agency Work Group. (Reference No. 20101005-009) (19)

From concerned citizens, submitting various views on an ordinance that proposes a prohibition on the inclusion of incentives such as toys in certain types of fast food meals. File No. 101096, 3 letters (20)

From Office of the Controller, submitting the results of the follow-up review of the Branch Library Improvement Program Audit. (21)

From Civil Service Commission, submitting the Civil Service Commission meeting schedule for calendar year 2011. Copy: Each Supervisor (22)

From the Arts Commission, submitting their quarterly report on expenditures for the first quarter ending September 30, 2010. Copy: Each Supervisor (23)

ADJOURNMENT

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT
DOCUMENTS DEPT

DEC - 3 2010

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, December 7, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at http://www.sfbos.org/meetings. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the October 26, 2010, and November 2, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

1. 101299 **[Accept and Expend Grant - Installation of Art at the Civic Center Plaza - $70,000]**
Sponsor: Mayor
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $70,000 from the National Endowment for the Arts for the installation of Zhang Huan's Three Heads, Six Arms at the Civic Center Plaza.

Question: Shall this Resolution be ADOPTED?

2. 101329 **[Liquor License Transfer - 163 Jessie Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises liquor license from 730-732 Broadway Street to 163 Jessie Street (District 6), to Jon Gasparini for the Jessie Street Cafe, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

3. 101194 [Administrative Code, Public Works Code and Subdivision Code - Better Streets Plan Implementation]

Sponsors: Mayor; Mar and Campos

Ordinance adopting the Better Streets Plan; amending Chapter 98.1 of the Administrative Code to require street improvements to conform with the policies and guidance of the San Francisco Better Streets Plan (Better Streets Plan); amending various sections of the Planning Code to consolidate requirements for street improvements; to require street improvements to follow the policies and guidance of the Better Streets Plan; to expand and modify existing requirements for provision of street trees; to require specified projects to submit a streetscape plan with application submission; and to describe additional requirements for certain areas of the City subject to neighborhood streetscape plans, including Downtown and Rincon Hill; amending various sections of the Public Works Code to be consistent with the Better Streets Plan, including waiving public right-of-way occupancy fees for Better Streets Plan elements; amending Sections 1335, 1336, and 1337 of the Subdivision Code to require streetscape, pedestrian, and stormwater improvements consistent with the Better Streets Plan as part of subdivision approvals; and making findings, including environmental findings and findings that the Planning Code amendments and General Plan amendments are consistent, on balance, with the General Plan and Planning Code Section 101.1.

11/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 101075 [Building Code - Development Fee Collection Procedure and Administrative Fee]

Sponsor: Mayor

Ordinance amending the San Francisco Building Code by amending Section 107A.13 to modify the method of calculating the development fee deferral surcharge rate and to clarify when a project sponsor may elect to defer the payment of development impact and in-lieu fees, adopting environmental finding.

11/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 101219 [Relocation Impact Study and Last Resort Housing Plan for Central Subway Project]

Ordinance approving the San Francisco Municipal Transportation Agency's Relocation Impact Study and Last Resort Housing Plan for the Central Subway Project. (Municipal Transportation Agency)

11/23/2010; PASSED. ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 101450 **[Temporary Preservation Easement - Bayview Opera House - 4705 Third Street]**
Sponsor: Maxwell
Resolution approving a temporary preservation easement affecting a City building located at 4705 Third Street, commonly known as the Bayview Opera House.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier

7. 101348 **[Appointments, Food Security Task Force - Karen Gruneisen, Zetta Reicker, and Deloris McGee]**
Motion appointing Karen Gruneisen, Zetta Reicker, and Deloris McGee, for indefinite terms, to the Food Security Task Force. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

8. 101397 **[Appointment, Bicycle Advisory Committee - Edward Nicolson]**
Motion appointing Edward Nicolson, term ending November 19, 2012, to the Bicycle Advisory Committee. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

9. 101193 [Approving General Plan Amendments in Connection with the Better Streets Plan]

Sponsors: Mayor; Mar and Campos

Ordinance amending the Urban Design and Transportation Elements of the San Francisco General Plan to incorporate the San Francisco Better Streets Plan by reference, and to make objectives and policies relating to pedestrian transportation consistent with the Better Streets Plan; making environmental findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

11/23/2010; AMENDED.

11/23/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

10. 100455 [Environment Code - San Francisco Safe Drug Disposal Ordinance]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Environment Code by adding Chapter 22, Sections 2201 through 2211, to: require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources; provide for implementation, enforcement, fees, and penalties; and phase-in the application of the Chapter to non-prescription drugs and controlled substances; and making environmental findings.

(Supervisor Elsbernd dissented in Committee.)

10/26/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/26/2010; CONTINUED AS AMENDED ON FIRST READING.

11/23/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/23/2010; CONTINUED AS AMENDED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

11. 101121 **[Accept and Expend Grant - FY2010 Regional Catastrophic Preparedness Grant Program and Amend Annual Salary Ordinance, FY2010-2011 - $3,570,000]**
Sponsors: Mayor; Alioto-Pier
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, serving as the primary grantee for the Regional Catastrophic Preparedness Grant Program Bay Area Site and as fiscal agent for the Urban Area Security Initiative Approval Authority, to retroactively accept and expend Regional Catastrophic Preparedness Grant Program grant funds in the amount of $3,570,000 from the United States Department of Homeland Security, through the California Emergency Management Agency, and to provide $181,478 as San Francisco's portion of required matching funds; and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of one grant-funded position (.75 FTE) in Class 5293 Planner IV in the Department of Emergency Management.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 101122 **[Accept and Expend Grant - FY2010 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY2010-2011 - $34,262,131]**
Sponsors: Mayor; Alioto-Pier
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the UASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative grant in the amount of $34,262,131 from the United States Department of Homeland Security, through the California Emergency Management Agency; and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of two grant-funded positions in the Department of Emergency Management, as follows: one position (.75 FTE) in Class 1823 Senior Administrative Analyst and one position (.75 FTE) in Class 1824 Principal Administrative Analyst.

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 100927 **[Contract Approval - 18 Non-Profit Organizations and the University of California of San Francisco - Behavioral Health Services - $674,388,406]**
Sponsor: Mayor
Resolution retroactively approving $674,388,406 in contracts between the Department of Public Health and 18 non-profit organizations and the University of California at San Francisco, to provide behavioral health services for the period of July 1, 2010 through December 31, 2015.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

14. 101125 [Golden Gate Park Music Concourse Garage Refinance]
Sponsor: Mar
Resolution concurring in the recommendation of the Controller and the Director of the Office of Public Finance that the issuance of not to exceed $30,000,000 Tax Exempt Bank Qualified Bonds ("Bonds") with First Republic Bank for and on behalf of the Music Concourse Community Partnership, a California nonprofit public benefit corporation, is reasonably prudent; directing the Controller and the Director of the Office of Public Finance to do everything necessary and desirable to provide for the issuance of such Bonds; and providing public approval for the Bonds and the project financed and refinanced thereby for the purposes of Section 147(f) of the internal Revenue Code.

Question: Shall this Resolution be ADOPTED?

15. 101265 [Accept and Expend Grant - CalHome - Not to Exceed $1,500,000]
Sponsor: Mayor
Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the California Department of Housing and Community Development in a total amount not to exceed $1,500,000 to assist low-income first time homebuyers and low-income homeowners.

Question: Shall this Resolution be ADOPTED?

16. 101387 [Design Agreement - Public Safety Building, Earthquake Safety, and Emergency Response Bond Program - Not to Exceed $17,205,152]
Sponsor: Mayor
Resolution authorizing the Director of Public Works to execute an amendment to the professional services agreement for the design of a new public safety building under the Earthquake Safety and Emergency Response Bond Program to increase the not to exceed amount from $3,947,600 to $17,205,152.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Avalos, Elsbernd

17. 101311 [Administrative Code - San Francisco Local Hiring Policy for Construction]
Sponsors: Avalos; Mirkarimi
Ordinance amending the San Francisco Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Subsection 6.22(G) to: 1) establish a local hiring policy for City public work or improvement projects requiring contractors and their subcontractors to perform certain percentages of project work hours using San Francisco residents and disadvantaged San Francisco residents; 2) making findings in support of the policy; 3) authorizing incentives for contractors and subcontractors who exceed local hiring requirements; 4) mandating assessment of liquidated damages against contractors and subcontractors who fail to meet minimum local hiring requirements; and 5) establishing monitoring, enforcement, and administrative procedures in support of the policy.

(Economic Impact. Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the City Operations Committee

Present Supervisors Chu, Avalos, Dufty

18. 101310 **[Public Works Code - Regulation of Freestanding Newsracks and Fixed Pedestal Newsracks]**

Sponsor: Alioto-Pier

Ordinance amending the San Francisco Public Works Code by amending Sections 184.2, 184.6, 184.8, and 184.12 thereof, relating to newsracks, to provide for: (1) the use of electronic mail for notices of violations; (2) removal of abandoned newsracks or newsracks maintained in violation of the Public Works Code within 7 calendar days of notice of violation sent by electronic mail; (3) imposition of administrative fines for violations resulting in newsrack seizures; (4) consolidation and/or reduction in size of fixed pedestal newsracks at under-used locations; (5) allocation of space in newsrack boxes on a first-come-first-served basis under certain circumstances; and (6) reduction of the fixed pedestal permit fee from $60 to $50.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present. Supervisors Maxwell, Mar, Chiu

19. 100046 **[Planning Code, Administrative Code - Amending Inclusionary Housing Ordinance]**

Sponsors: Mayor; Chiu

Ordinance amending the Planning Code and Administrative Code by amending the Residential Inclusionary Affordable Housing Program, Planning Code Section 415 et seq. (formerly Code Section 315 et seq.) (the "Program") to change the name of the Program to the Affordable Inclusionary Affordable Housing Program and to require all project applicants to pay the Affordable Housing Fee unless they are eligible for an alternative; making other amendments to the Program including expanding the uses of the Citywide Affordable Housing Fund, deleting provisions relating to certain requirements for off-site units, and deleting provisions requiring a refund of fees after issuance of certificate of occupancy; amending Sections 416 and 417 to make conforming amendments to the Inclusionary Affordable Housing Program; amending the Van Ness Market Special Use District, Section 249.33, to delete the provision that a project sponsor may only meet up to 50% of the Program's requirements through payment of the fee; amending Section 827 to delete the requirement that 50% of on- or off-site affordable housing units provided under Section 415 et seq. in the Rincon Hill Area Plan be provided as rental; amending the Administrative Code by amending Chapter 56 related to Development Agreements to create certain exceptions from its requirements for rental housing developments with on-site inclusionary units; and making findings including findings under the California Environmental Quality Act.

11/02/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/02/2010; RE-REFERRED AS AMENDED to the Land Use and Economic Development Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 101094 [Administrative Code - Child Care Centers for City Projects and City-Funded Private Projects]

Sponsors: Dufty; Alioto-Pier, Chiu, Mar and Maxwell

Ordinance amending the San Francisco Administrative Code by adding Chapter 29B to require a City agency, or a private developer that receives City funds for a development project, as defined, to prepare a feasibility study for providing an on-site child care center whenever it plans to construct or purchase a building, lease more than 50 percent of space in a private building for an initial term of more than one year, or alter more than 50 percent of the space in an existing building; adopting findings, including environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 101095 [Planning Code - Affordable Housing Program Exemption for Qualified Student Housing]

Sponsor: Dufty

Ordinance amending the Residential Inclusionary Affordable Housing Program, Planning Code Sections 415 et seq. to exempt certain Qualified Student Housing Projects, as defined, if the project meets certain requirements; adding corresponding definitions to Section 401; and making findings including environmental findings.

(Economic Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 101313 [Planning Code, Zoning Map - Bayshore Boulevard Home Improvement Special Use District]

Sponsors: Maxwell; Campos and Dufty

Ordinance amending the San Francisco Planning Code by adding Section 249.65 to establish the Bayshore Boulevard Home Improvement Special Use District for the properties on lots fronting Bayshore Boulevard from Jerrold Avenue south to the 1-280 Freeway, the west side of Loomis Street from Jerrold Avenue south to the 1-280 Freeway, Oakdale Avenue from Loomis Street to Bayshore Boulevard, Marengo Street from Bayshore Boulevard to Waterloo Street and the west side of Boutwell Street from Industrial Street south to the 1-280 Freeway, and also including some lots on Cortland Avenue; amending the Zoning Map of the City and County of San Francisco to rezone the designated blocks and lots from the current M-1 and P/M-1 zoning to PDR-2, P/PDR-2 and the Bayshore Boulevard Home Improvement Special Use District, adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present Supervisors Campos, Alioto-Pier

23. 101235 **[Confirming Appointment, San Francisco Redevelopment Agency - Agnes Briones Ubalde]**
Sponsor: Mayor
Motion confirming the appointment of Agnes Briones Ubalde to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2014.

Question: Shall this Motion be APPROVED?

24. 101236 **[Confirming Appointment, Port Commission - F.X. Crowley]**
Sponsor: Mayor
Motion confirming the appointment of F.X. Crowley to the Port Commission, term ending May 1, 2014

Question: Shall this Motion be APPROVED?

25. 101285 **[Confirming Reappointment, Edwin Lee as City Administrator]**
Sponsor: Mayor
Motion confirming the reappointment of Edwin Lee to a five-year term as City Administrator under Charter Section 3.104.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 101465, Item No. 52.)

26. 101466 **[Public Hearing - Appointment of a Successor Mayor]**
Sponsor: Daly
Hearing to discuss the proposed Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Committee of the Whole Adjourn and Report

27. 101467 **[Appointment of a Successor Mayor]**
Sponsor: Daly
Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 101407, approved November 23, 2010.)

28. 101500 **[Public Hearing to Acquire Various Real Properties by Eminent Domain for Transbay Transit Center Program]**
Sponsor: Daly
Hearing of persons interested in or objecting to proposed Resolutions authorizing the acquisition of real property commonly known as 85 Natoma Street #1 (File Nos. 101408 and 101409), (Block No. 3721, Lot No. 109); 85 Natoma Street #2 (File Nos. 101411 and 101412), (Block No. 3721, Lot No. 110); 85 Natoma Street #3 (File Nos. 101414 and 101415), (Block No. 3721, Lot No. 111); 85 Natoma Street #4 (File Nos. 101417 and 101418), (Block No. 3721, Lot No. 112); 85 Natoma Street #5 (File Nos. 101420 and 101421), (Block No. 3721, Lot No. 113); 85 Natoma Street #7 (File Nos. 101423 and 101424), (Block No. 3721, Lot No. 115); 85 Natoma Street #9 (File Nos. 101426 and 101427), (Block No. 3721, Lot No. 117); 85 Natoma Street #C1 (File Nos. 101429 and 101430), (Block No. 3721, Lot No. 118); 60 Tehama Street (File Nos. 101432 and 101433), (Block No. 3736, Lot No. 088); 564 Howard Street (File Nos. 101435 and 101436), (Block No. 3721, Lot No. 019); 568 Howard Street (File Nos. 101438 and 101439), (Block No. 3721, Lot No. 020); and 13 parking easement interests across and through 85 Natoma Street (File Nos. 101441 and 101442), (Benefitted parcels Block No. 3721, Lot Nos. 093-105; burdened parcels Block 3721, Lot Nos. 109-118) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Committee of the Whole Adjourn and Report

29. 101409 **[Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 1]**
Sponsor: Daly
Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 1, San Francisco, California (Assessor's Block No. 3721, Lot No. 109) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

30. 101412 **[Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 2]**
Sponsor: Daly
Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 2, San Francisco, California (Assessor's Block No. 3721, Lot No. 110) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

31. 101415 **[Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 3]**
Sponsor: Daly
Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 3, San Francisco, California (Assessor's Block No. 3721, Lot No. 111) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

32. 101418 **[Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 4]**
Sponsor: Daly
Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 4, San Francisco, California (Assessor's Block No. 3721, Lot No. 112) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

33. 101421 **[Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 5]**
Sponsor: Daly
Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 5, San Francisco, California (Assessor's Block No. 3721, Lot No. 113) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

34. 101424 **[Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 7]**
Sponsor: Daly
Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 7, San Francisco, California (Assessor's Block No. 3721, Lot No. 115) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101 1

Question: Shall this Resolution be ADOPTED?

35. 101427 **[Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 9]**
Sponsor: Daly
Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 9, San Francisco, California (Assessor's Block No. 3721, Lot No. 117) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

36. 101430 **[Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. C1]**
Sponsor: Daly
Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. C1, San Francisco, California (Assessor's Block No. 3721, Lot No. 118) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

37. 101433 **[Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 60 Tehama Street]**
Sponsor: Daly
Resolution authorizing the acquisition of real property commonly known as 60 Tehama Street, San Francisco, California (Assessor's Block No. 3736, Lot No. 088) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1

Question: Shall this Resolution be ADOPTED?

38. 101436 **[Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 564 Howard Street]**
Sponsor: Daly
Resolution authorizing the acquisition of real property commonly known as 564 Howard Street, San Francisco, California (Assessor's Block No. 3721, Lot No. 019) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

39. 101439 **[Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 568 Howard Street]**
Sponsor: Daly
Resolution authorizing the acquisition of real property commonly known as 568 Howard Street, San Francisco, California (Assessor's Block No. 3721, Lot No. 020) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

40. 101442 **[Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 13 Easement Interests Across and Through 85 Natoma Street]**
Sponsor: Daly
Resolution authorizing the acquisition of 13 easement interests across and through the real property commonly known as 85 Natoma Street, San Francisco, California (Assessor's Block No. 3721, Lot Nos. 109-118) (recorded in the official records of the City and County of San Francisco as Doc 2000-G860199-00, November 6, 2000) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, December 2, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 7, 2010.

41. 101098 [Administrative Code - Electronic Distribution of Multi-Page Documents]
Sponsors: Mirkarimi; Chiu, Campos and Mar
Ordinance amending the San Francisco Administrative Code by amending Sections 1.56 and 8.12.4, adding Section 8.12.5, and re-numbering Section 8.12-1 as 8.13, to provide for the electronic distribution of documents more than 10 pages long prepared by City departments.

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. 101191 [Administrative Code - Publication Requirements]
Sponsors: Mirkarimi; Campos and Mar
Ordinance amending Chapter 2 of the San Francisco Administrative Code by adding Article XII, Sections 2.96 through 2.100, to define "published" as required by San Francisco Charter Article XVII to: (1) establish requirements for publishing notices; (2) establish standards for and define the "City's Official Website Homepage;" (3) establish procedures for standardizing and defining notice and publication requirements for future proposed ordinances; and (4) authorize the Clerk of the Board of Supervisors to adopt regulations to implement this Article.

Question: Shall this Ordinance be PASSED ON FIRST READING?

43. 101272 [Conflict of Interest Code Amendments]
Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by (1) amending Section 3.1-103 to list the officials who must file statements of economic interests and ethics-related forms with the Ethics Commission; (2) amending Section 3.1-107 to clarify the scope of disclosure category 1; (3) amending Sections 3.1-140, 3.1-150, 3.1-155, 3.1-175, 3.1-190, 3.1-195, 3.1-205, 3.1-207, 3.1-218, 3.1-230, 3.1-240, 3.1-245, 3.1-250, 3.1-251, 3.1-253, 3.1-267, 3.1-275, 3.1-280, 3.1-312, 3.1-315, 3.1-320, 3.1-335, 3.1-362, 3.1-365, 3.1-390, 3.1-422, 3.1-445, 3.1-450 to update the list of designated employees who must file statements of economic interests; (4) deleting Sections 3.1-210 and 3.1-235 to reflect the current composition of City departments; and (5) adding Section 3.1-510 to identify the local officials who manage public investments. (Clerk of the Board)

Question: Shall this Ordinance be PASSED ON FIRST READING?

44. 101381 [Settlement of Lawsuit - Allison Ayer - $30,000]
Ordinance authorizing settlement of the lawsuit filed by Allison Ayer against the City and County of San Francisco for $30,000; the lawsuit was filed on January 28, 2010, in San Francisco Superior Court, Case No. CGC-10-496373; entitled Allison Ayer v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

45. 101382 **[Settlement of Lawsuit - Charles Haynes - $50,000]**
Ordinance authorizing settlement of the lawsuit filed by Charles Haynes against the City and County of San Francisco for $50,000; the lawsuit was filed on January 23, 2009, in the United States District Court, Northern District of California, Case No. C09-00174 PJH, entitled Charles Haynes, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

46. 101383 **[Settlement of Lawsuit - Guillermo Chavez - $30,000]**
Ordinance authorizing settlement of the lawsuit filed by Guillermo Chavez against the City and County of San Francisco for $30,000; the lawsuit was filed on October 2, 2009, in San Francisco Superior Court, Case No. 439-130; entitled Guillermo Chavez v. City and County of San Francisco, et al.; other material terms of said settlement are: 1) $10,000 to be paid to the San Francisco Tax Collector's Bureau of Delinquent Revenue to satisfy the medical lien for treatment in this case; 2) $11,555 to be allocated to attorney's fees and litigation costs; 3) the balance of $8,445 is to be paid to the Bureau of Delinquent Revenue to pay down money owed by plaintiff to the City for medical treatment unrelated to the injuries in the lawsuit. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

47. 101458 **[Administrative Code - Extending Operation of Voting Systems Task Force]**
Sponsor: Campos
Ordinance amending the San Francisco Administrative Code by amending Sections 5.400 and 5.410 and adding Section 5.415 to extend the operation of the Voting Systems Task Force to June 30, 2011.

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. 101384 **[Settlement of Unlitigated Claim - Motorist Insurance Group and Ellis Brooks Chevrolet - $48,969.70]**
Resolution approving the settlement of the unlitigated claim filed by Motorist Insurance Group and Ellis Brooks Chevrolet against the City and County of San Francisco for $48,969.70; claim was filed on May 4, 2010. (City Attorney)

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Public Safety Committee at a Regular Meeting on Monday, December 6, 2010 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 7, 2010.

49. 101190 [Police Code - Registration and Other Requirements for Event Promoters]
Sponsors: Chiu; Maxwell
Ordinance adding Article 15.7 to the San Francisco Police Code, requiring event promoters to register with the Entertainment Commission; prohibiting holders of certain entertainment-related permits, and registered promoters, from retaining an unregistered promoter to hold an event; and authorizing under certain circumstances for certain promoters reporting requirements, increased security plan requirements for events they promote, general liability insurance requirements, a criminal background check requirement, and other requirements.

11/23/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/23/2010; RE-REFERRED to the Public Safety Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

50. 101349 [Administrative Code - DNA Testing in Sexual Assault Cases]
Sponsor: Alioto-Pier
Ordinance implementing the California "Sexual Assault Victims' Bill of Rights" by amending the San Francisco Administrative Code to: (1) add Section 2A.89 to require the Police Department to develop and implement procedures to collect and test DNA samples in sexual assault cases and provide information and notices to victims, require the Mayor to report on DNA collection and testing performance as part of the budget submission, and make it the policy of the City and County of San Francisco to appropriate sufficient funds each fiscal year to ensure timely testing of DNA evidence in sexual assault cases; and (2) add Section 10.100-172 to establish the Police DNA Testing in Sexual Assault Cases Account.

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. 101443 [Accept and Expend Grant - Three Part-Time Q4 Police Officer III Positions - $424,107]
Sponsor: Alioto-Pier
Ordinance authorizing the San Francisco Police Department, on behalf of the City and County of San Francisco, to retroactively accept and expend grant funds in the amount of $424,107 from the United States Department of Justice/National Institute of Justice "Solving Cold Cases with DNA" Grant Program; and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of three (3) part-time positions (1.50 FTE total) in job classification Q4 Police Officer III in the San Francisco Police Department.

Question: Shall this Ordinance be PASSED ON FIRST READING?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 52 through 57

52. 101465 **[Committee of the Whole - Public Hearing to Take Nominations and Appoint a Successor Mayor in the Event of a Vacancy in the Office of the Mayor]**
Sponsor: Daly
Motion that the Board of Supervisors convene as a Committee of the Whole on December 7, 2010, at 3:00 p.m., to discuss the proposed Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

11/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/23/2010; AMENDED.

11/23/2010; CONTINUED AS AMENDED.

Question: Shall this Motion be APPROVED?

53. 101425 **[Protecting and Preserving the Palace of Fine Arts Swans]**
Sponsor: Alioto-Pier
Resolution endorsing the presence of swans at the Palace of Fine Arts lagoon, and urging the Recreation and Park Department, Animal Care and Control, and the San Francisco Police Department to develop a plan for the protection and preservation of swans in the Palace of Fine Arts lagoon.

11/23/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

54. 101487 [Single Room Occupancy Task Force]
Sponsors: Dufty; Campos
Resolution amending the Single Room Occupancy Task Force to accurately reflect the administration of the program and to alter the membership of the task force to accurately reflect this change.

11/23/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

55. 101489 [Authorizing Use of General Fund Dollars as Matching Funds for Federal Medicaid Funding]
Sponsor: Mayor
Resolution authorizing the Department of Public Health to use General Fund dollars as matching funds to receive federal Medicaid funding for services provided through the Community-Living Support Benefit Waiver (AB 2968).

11/23/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

56. 101494 [Declaration of the November 2, 2010, Election Results]
Sponsor: Chiu
Resolution declaring the results of the November 2, 2010, Consolidated General Election. (Elections Department)

12/01/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

57. 101434 [Committee of the Whole - Public Hearing on Ground Lease of Redevelopment Agency Land at 701 Golden Gate Avenue to Mary Helen Rogers Senior Community, LP]
Sponsor: Daly
Motion scheduling the Board to sit as a Committee of the Whole on December 14, 2010, at 3:00 p.m., to hold a public hearing on the Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block No. 768, Lot No. 14, commonly known as 701 Golden Gate Avenue, southwest corner of Golden Gate Avenue and Franklin Street, San Francisco, California in San Francisco's Western Addition neighborhood, to Mary Helen Rogers Senior Community, LP, a California limited liability corporation, for 70 years for the purpose of developing housing for very low-income senior households.

11/23/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

58. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s)

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from November 16, 2010, to November 29, 2010, for reference by President to appropriate committee on December 7, 2010.

101483 **[Park Code - Kezar Parking Fees]**
Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.08, to increase the parking fees at the Kezar Parking lot, and making environmental findings. (Recreation and Park Department)

11/29/2010; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 16, 2010, to November 29, 2010, for reference by President to appropriate committee on December 7, 2010.

101479 **[Sale of Surplus Property - 909 Tennessee Street - $1,310,000]**
Resolution approving the sale of an improved surplus property located at 909 Tennessee Street, within Lot No. 001, Block No. 4108, City and County of San Francisco, for a purchase price of $1,310,000; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

11/29/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101481 **[Contract Amendment - Ambulance Billing - $20,000,000]**
Resolution authorizing the San Francisco Fire Department to amend the Department's ambulance billing contract with ADPI West, Inc., that anticipates approximately $20,000,000 per year in revenues, authorize the first two-year contract extension; retroactively approve the first contract extension to July 1, 2010, and at the Department's discretion authorize the Department to exercise the second two-year extension for the contract. (Fire Department)

11/22/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101495 **[License with UnitedLayer to Use Property - 200 Paul Street]**
Resolution authorizing the license of space and services with UnitedLayer at 200 Paul Street for the Department of Technology. (Real Estate Department)

11/22/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101496 **[License with Telx to Use Property - 200 Paul Street]**
Resolution authorizing the license of space and services with Telx at 200 Paul Street for the Department of Technology.

11/22/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101498 [Petitions and Communications]

Petitions and Communications received from November 16, 2010, through November 29, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on December 7, 2010.

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from November 20, 2010, until November 27, 2010. Supervisor Carmen Chu and Supervisor Sean Elsbernd will serve as Acting-Mayor. Copy: Each Supervisor, City Attorney (1)

From Health Commission, submitting resolution regarding transfer of its outpatient dialysis services to DaVita will have a detrimental impact on the health of the community. Copy: Each Supervisor (2)

From Health Commission, submitting resolution approving the relocation of Laguna Honda Hospital and Rehabilitation Center to the new site at 375 Laguna Honda Boulevard (3)

From Department of Public Health, submitting the quarterly report for Laguna Honda Rehabilitation Center's compliance with the reversal of the admission policy priorities that took place February 22, 2005. Copy: Each Supervisor (4)

From Aaron Goodman, regarding the Parkmerced project. 2 letters (5)

From Kimo Crossman, commenting that it's no longer legal to "clean up an inbox for space." (6)

From Aaron Goodman, regarding Crown Heights subsidized apartments. (7)

From Mackenzie & Albritton, regarding the appeal of 10 Bernal Heights Boulevard. File No. 101045, Copy: Each Supervisor (8)

From T-Mobile, submitting notification of two cellular antennas to be installed at 77 Beale Street. (9)

From Phyllis & Tom Hunt, regarding the Master Plan for hospitals in San Francisco. (10)

From The Animal Company, submitting support for the recology plan to transport San Francisco's landfill by rail to the Ostrom Road facility in Yuba County. File No. 101225, Copy: Budget and Finance Committee Members and Clerk (11)

From Office of the Controller, submitting the quarterly review of the Office of the Treasurer and Tax Collector's Schedule of Cash, Investments, and Accrued Interest Receivable as of September 30, 2009, December 31, 2009, and March 31, 2010. (12)

From concerned citizens, submitting opposition to proposed legislation regarding setting nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items. File No. 101096, 4 letters (13)

From San Francisco Convention and Visitors Bureau, regarding the Board of Directors decision to change the name of this organization to San Francisco Travel Association, effective January 11, 2011. (14)

From concerned citizens, submitting support for the Safe Drug Disposal Ordinance. File No. 100455, Copy: Each Supervisor, Approximately 70 letters. (15)

From Department of Elections, submitting certification that the petition for the San Francisco Unified School District Student Assignment System Initiative Petition did have sufficient valid signatures to qualify for the November 8, 2011 Election. Copy: Each Supervisor (16)

From concerned citizens, urging the Board of Supervisors to take action to overturn the sidewalk sitting ban. 2 letters (17)

From State Department of Finance, regarding the Redevelopment Agency's Supplemental Educational Revenue Augmentation Funds for FY2010-2011. Copy: Each Supervisor (18)

From Department of Public Health, submitting the quarterly HIV/AIDS Surveillance Report. (19)

From Espanola Jackson, regarding the San Francisco local hiring policy for construction. File No. 101311, Copy: Budget and Finance Committee (20)

From Municipal Transportation Agency, responding to inquiry regarding the frequency and number of times the MTA has "short-turned" their LRV lines over the last two years. (Reference No. 20100928-001) (21)

From San Francisco Unified School District, submitting the Williams Annual Report. Copy: Each Supervisor (22)

From concerned citizens, submitting support for closing the recycling center next to Kezar Stadium. File No. 101491, 19 letters (23)

From concerned citizens, submitting support for the appointment of Rodney Fong to the Planning Commission. File No. 101237, Copy: Each Supervisor, 8 letters (24)

From James Chaffee, regarding the misuse of the democratic process. Copy: Each Supervisor (25)

From Jerry Cauthen, regarding the Municipal Transportation Agency and the proposed Central Subway. (26)

From Office of the Controller, submitting its audit report on the Public Utilities Commission leases with Hanson Aggregates Mid-Pacific, Inc. (27)

From Office of the Controller, submitting its audit report on whether Laguna Honda Hospital and Rehabilitation Center has administered the Laguna Honda Hospital Gift Fund in accordance with the Administrative Code. (28)

Number not used. (29)

From State Fish and Game Commission, regarding changes that were made to the south coast marine protected areas. Copy: Each Supervisor (30)

From Police Commission, submitting resolution appointing Thomas Mazzucco as President and Joe Marshall as Vice President of the San Francisco Police Commission. Copy: Each Supervisor (31)

From concerned citizens, submitting opposition to an "out of state" contractor/operators entering into an agreement/lease with Stow Lake Boathouse, LLC, for the operation of the Stow Lake Boathouse Concession Management of the Harding Park Golf Course File No. 101416, 2 letters (32)

From Patrick, regarding Laguna Honda Hospital patient gift fund scandal. (33)

From Vicki Leidner, regarding proposed process by the Board of Supervisors to nominate an Interim Mayor. File Nos. 101456, 101457. (34)

From Terrie Frye, submitting support for the current Board of Supervisor's selection of an Interim Mayor. (35)

From Paul Barnett, submitting opposition to expanding parking meter hours to Sunday. (36)

From concerned citizens, submitting support for proposed legislation regarding setting nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items. File No. 101096, 2 letters. (37)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to Stewarts Point State Marine Reserve and Conservation Area. (38)

From Office of the Budget and Legislative Analyst, submitting a report on the Performance Audit of San Francisco's Early Care and Education Programs. (39)

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: **Tuesday, December 14, 2010**

Time: **3:00 p.m.**

Location: **Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA**

Subject: **Public Hearing pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code Article 15, to consider establishment of a property-based assessment district to be known as the Ocean Avenue Community Benefits District**

Pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code Article 15, this is to notify you that a petition signed by property owners to form a property and business improvement district in your area was received by the Clerk of the Board of Supervisors on September 14, 2010. The proposed district would be known as the Ocean Avenue Community Benefits District (CBD).

If this Property and Business Improvement District is formed, it would authorize assessments against real property in the district for 15 years with services to be implemented January 1, 2011 through June 30, 2025. The Ocean Avenue Community Benefits District would fund and provide the following services:

1) Cleaning, Maintenance and Safety Program
2) Marketing, Streetscape Improvements, and Beautification Program
3) Management and Operations

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Formation of the property and business improvement district is subject to the approval of the Board of Supervisors after noticed public hearings and a vote by the property owners who would be subject to the assessments. Following public comment, ballots submitted by the property owners in the proposed Ocean Avenue Community Benefits District (CBD) will be counted by the Department of Elections and the results will be announced by the Board of Supervisors. If the ballot election does not result in a majority protest against formation of the proposed district, the Board of Supervisors may vote to establish the Ocean Avenue Community Benefits District (CBD).

Further information about this petition and proposed district, including the district management plan, which describes the boundaries, operations and activities of the proposed district, may be reviewed in Legislative File No. 100991 at the Office of the Clerk of the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco. Alternatively, information may be accessed on the Board of Supervisors web site at www.sfbos.org and on the Department of Elections Website at www.sfgov.org/elections.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102.

Angela Calvillo
Clerk of the Board

PUBLISHED: December 3, 2010

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, December 14, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier	1st and 3rd Thursday 10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at http://www.sfbos.org/meetings. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the November 9, 2010, and November 16, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 16

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 101121 **[Accept and Expend Grant - FY2010 Regional Catastrophic Preparedness Grant Program and Amend Annual Salary Ordinance, FY2010-2011 - $3,570,000]**

Sponsors: Mayor; Alioto-Pier

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, serving as the primary grantee for the Regional Catastrophic Preparedness Grant Program Bay Area Site and as fiscal agent for the Urban Area Security Initiative Approval Authority, to retroactively accept and expend Regional Catastrophic Preparedness Grant Program grant funds in the amount of $3,570,000 from the United States Department of Homeland Security, through the California Emergency Management Agency, and to provide $181,478 as San Francisco's portion of required matching funds; and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of one grant-funded position (.75 FTE) in Class 5293 Planner IV in the Department of Emergency Management.

12/07/2010: PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 101122 [Accept and Expend Grant - FY2010 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY2010-2011 - $34,262,131]

Sponsors: Mayor; Alioto-Pier

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the UASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative grant in the amount of $34,262,131 from the United States Department of Homeland Security, through the California Emergency Management Agency; and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of two grant-funded positions in the Department of Emergency Management, as follows: one position (.75 FTE) in Class 1823 Senior Administrative Analyst and one position (.75 FTE) in Class 1824 Principal Administrative Analyst.

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

3. 101313 [Planning Code, Zoning Map - Bayshore Boulevard Home Improvement Special Use District]

Sponsors: Maxwell; Campos and Dufty

Ordinance amending the San Francisco Planning Code by adding Section 249.65 to establish the Bayshore Boulevard Home Improvement Special Use District for the properties on lots fronting Bayshore Boulevard from Jerrold Avenue south to the 1-280 Freeway, the west side of Loomis Street from Jerrold Avenue south to the 1-280 Freeway, Oakdale Avenue from Loomis Street to Bayshore Boulevard, Marengo Street from Bayshore Boulevard to Waterloo Street and the west side of Boutwell Street from Industrial Street south to the 1-280 Freeway, and also including some lots on Cortland Avenue; amending the Zoning Map of the City and County of San Francisco to rezone the designated blocks and lots from the current M-1 and P/M-1 zoning to PDR-2, P/PDR-2 and the Bayshore Boulevard Home Improvement Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 101448 [Installation of Public Art in the Hunters Point Shipyard Redevelopment Project Area - $80,000]

Sponsor: Maxwell

Resolution making findings under Section 33445 of the California Health and Safety Code and consenting to the Redevelopment Agency using approximately $80,000 in designated federal grant monies for the installation of Public Art in the Hunters Point Shipyard Redevelopment Project Area.

Question: Shall this Resolution be ADOPTED?

Present Supervisors Maxwell, Chiu

5. 101485 **[Southeast Digester Task Force - Biosolids Digester Facility Project]**
Sponsor: Maxwell
Resolution urging the Public Utilities Commission to incorporate the Southeast Digester Task Force recommendations into the Biosolids Digester Facility Project, to select the preferred site and expedite implementation.

Question: Shall this Resolution be ADOPTED?

6. 101486 **[Commending the Community Benefits Program]**
Sponsor: Maxwell
Resolution commending the San Francisco Public Utilities Commission's Community Benefits Program.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Elsbernd

7. 101190 **[Police Code - Registration and Other Requirements for Event Promoters]**
Sponsors: Chiu; Maxwell
Ordinance adding Article 15.7 to the San Francisco Police Code, requiring event promoters to register with the Entertainment Commission; prohibiting holders of certain entertainment-related permits, and registered promoters, from retaining an unregistered promoter to hold an event; and authorizing under certain circumstances for certain promoters reporting requirements, increased security plan requirements for events they promote, general liability insurance requirements, a criminal background check requirement, and other requirements.

11/23/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/23/2010; RE-REFERRED to the Public Safety Committee.

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 101349 **[Administrative Code - DNA Testing in Sexual Assault Cases]**
Sponsors: Alioto-Pier; Chu
Ordinance implementing the California "Sexual Assault Victims' Bill of Rights" by amending the San Francisco Administrative Code to: (1) add Section 2A.89 to require the Police Department to develop and implement procedures to collect and test DNA samples in sexual assault cases and provide information and notices to victims, require the Police Department to report on DNA collection and testing performance as part of the budget submission, and make it the policy of the City and County of San Francisco to appropriate sufficient funds each fiscal year to ensure timely testing of DNA evidence in sexual assault cases; and (2) add Section 10.100-172 to establish the Police DNA Testing in Sexual Assault Cases Account.

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 101443 [Accept and Expend Grant - Three Part-Time Q4 Police Officer III Positions - $424,107]

Sponsor: Alioto-Pier

Ordinance authorizing the San Francisco Police Department, on behalf of the City and County of San Francisco, to retroactively accept and expend grant funds in the amount of $424,107 from the United States Department of Justice/National Institute of Justice "Solving Cold Cases with DNA" Grant Program; and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of three (3) part-time positions (1.50 FTE total) in job classification Q4 Police Officer III in the San Francisco Police Department.

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

10. 101098 [Administrative Code - Electronic Distribution of Multi-Page Documents]

Sponsors: Mirkarimi; Chiu, Campos and Mar

Ordinance amending the San Francisco Administrative Code by amending Sections 1.56 and 8.12.4, adding Section 8.12.5, and re-numbering Section 8.12-1 as 8.13, to provide for the electronic distribution of documents more than 10 pages long prepared by City departments.

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 101191 [Administrative Code - Publication Requirements]

Sponsors: Mirkarimi; Campos, Mar and Chiu

Ordinance amending Chapter 2 of the San Francisco Administrative Code by adding Article XII, Sections 2.96 through 2.100, to define "published" as required by San Francisco Charter Article XVII to: (1) establish requirements for publishing notices; (2) establish standards for and define the "City's Official Website Homepage;" (3) establish procedures for standardizing and defining notice and publication requirements for future proposed ordinances; and (4) authorize the Clerk of the Board of Supervisors to adopt regulations to implement this Article.

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 101272 **[Conflict of Interest Code Amendments]**
Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by (1) amending Section 3.1-103 to list the officials who must file statements of economic interests and ethics-related forms with the Ethics Commission, (2) amending Section 3.1-107 to clarify the scope of disclosure category 1; (3) amending Sections 3.1-140, 3.1-150, 3.1-155, 3.1-175, 3.1-190, 3.1-195, 3.1-205, 3.1-207, 3.1-218, 3.1-230, 3.1-240, 3.1-245, 3.1-250, 3.1-251, 3.1-253, 3.1-267, 3.1-275, 3.1-280, 3.1-312, 3.1-315, 3.1-320, 3.1-335, 3.1-362, 3.1-365, 3.1-390, 3.1-422, 3.1-445, 3.1-450 to update the list of designated employees who must file statements of economic interests, (4) deleting Sections 3.1-210 and 3.1-235 to reflect the current composition of City departments, and (5) adding Section 3.1-510 to identify the local officials who manage public investments. (Clerk of the Board)

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 101381 **[Settlement of Lawsuit - Allison Ayer - $30,000]**
Ordinance authorizing settlement of the lawsuit filed by Allison Ayer against the City and County of San Francisco for $30,000, the lawsuit was filed on January 28, 2010, in San Francisco Superior Court, Case No. CGC-10-496373, entitled Allison Ayer v. City and County of San Francisco, et al. (City Attorney)

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 101382 **[Settlement of Lawsuit - Charles Haynes - $50,000]**
Ordinance authorizing settlement of the lawsuit filed by Charles Haynes against the City and County of San Francisco for $50,000; the lawsuit was filed on January 23, 2009, in the United States District Court, Northern District of California, Case No. C09-00174 PJH, entitled Charles Haynes, et al. v. City and County of San Francisco, et al. (City Attorney)

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. 101383 **[Settlement of Lawsuit - Guillermo Chavez - $30,000]**
Ordinance authorizing settlement of the lawsuit filed by Guillermo Chavez against the City and County of San Francisco for $30,000; the lawsuit was filed on October 2, 2009, in San Francisco Superior Court, Case No. 439-130; entitled Guillermo Chavez v. City and County of San Francisco, et al.; other material terms of said settlement are: 1) $10,000 to be paid to the San Francisco Tax Collector's Bureau of Delinquent Revenue to satisfy the medical lien for treatment in this case; 2) $11,555 to be allocated to attorney's fees and litigation costs; 3) the balance of $8,445 is to be paid to the Bureau of Delinquent Revenue to pay down money owed by plaintiff to the City for medical treatment unrelated to the injuries in the lawsuit. (City Attorney)

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 101458 [Administrative Code - Extending Operation of Voting Systems Task Force]
Sponsor: Campos
Ordinance amending the San Francisco Administrative Code by amending Sections 5.400 and 5.410 and adding Section 5.415 to extend the operation of the Voting Systems Task Force to June 30, 2011.

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

17. 101125 [Golden Gate Park Music Concourse Garage Refinance]
Sponsor: Mar
Resolution concurring in the recommendation of the Controller and the Director of the Office of Public Finance that the issuance of not to exceed $30,000,000 Tax Exempt Bank Qualified Bonds ("Bonds") with First Republic Bank for and on behalf of the Music Concourse Community Partnership, a California nonprofit public benefit corporation, is reasonably prudent; directing the Controller and the Director of the Office of Public Finance to do everything necessary and desirable to provide for the issuance of such Bonds; and providing public approval for the Bonds and the project financed and refinanced thereby for the purposes of Section 147(f) of the Internal Revenue Code.

12/07/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Avalos, Elsbernd

18. 101311 **[Administrative Code - San Francisco Local Hiring Policy for Construction]**
Sponsors: Avalos; Mirkarimi, Campos and Daly
Ordinance amending the San Francisco Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Subsection 6.22(G) to: 1) establish a local hiring policy for City public work or improvement projects requiring contractors and their subcontractors to perform certain percentages of project work hours using San Francisco residents and disadvantaged San Francisco residents; 2) making findings in support of the policy; 3) authorizing incentives for contractors and subcontractors who exceed local hiring requirements; 4) mandating assessment of liquidated damages against contractors and subcontractors who fail to meet minimum local hiring requirements; and 5) establishing monitoring, enforcement, and administrative procedures in support of the policy.

(Economic Impact; Fiscal impact.)

12/07/2010, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/07/2010, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

19. 101310 **[Public Works Code - Regulation of Freestanding Newsracks and Fixed Pedestal Newsracks]**
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Public Works Code by amending Sections 184.2, 184.6, 184.8, and 184.12 thereof, relating to newsracks, to provide for: (1) the use of electronic mail for notices of violations; (2) removal of abandoned newsracks or newsracks maintained in violation of the Public Works Code within 7 calendar days of notice of violation sent by electronic mail; (3) imposition of administrative fines for violations resulting in newsrack seizures; (4) consolidation and/or reduction in size of fixed pedestal newsracks at under-used locations; (5) allocation of space in newsrack boxes on a first-come-first-served basis under certain circumstances; and (6) reduction of the fixed pedestal permit fee from $60 to $50.

12/07/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

20. 100046 [Planning Code, Administrative Code - Amending Inclusionary Housing Ordinance]

Sponsors: Mayor; Chiu and Campos

Ordinance amending the Planning Code and Administrative Code by amending the Residential Inclusionary Affordable Housing Program, Planning Code Section 415 et seq (formerly Code Section 315 et seq.) (the "Program") to change the name of the Program to the Affordable Inclusionary Affordable Housing Program and to require all project applicants to pay the Affordable Housing Fee unless they are eligible for an alternative; making other amendments to the Program including expanding the uses of the Citywide Affordable Housing Fund, deleting provisions relating to certain requirements for off-site units, and deleting provisions requiring a refund of fees after issuance of certificate of occupancy; amending Sections 416 and 417 to make conforming amendments to the Inclusionary Affordable Housing Program; amending the Van Ness Market Special Use District, Section 249.33, to delete the provision that a project sponsor may only meet up to 50% of the Program's requirements through payment of the fee; amending Section 827 to delete the requirement that 50% of on- or off-site affordable housing units provided under Section 415 et seq. in the Rincon Hill Area Plan be provided as rental; amending the Administrative Code by amending Chapter 56 related to Development Agreements to create certain exceptions from its requirements for rental housing developments with on-site inclusionary units; and making findings including findings under the California Environmental Quality Act.

11/02/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/02/2010; RE-REFERRED AS AMENDED to the Land Use and Economic Development Committee.

12/07/2010; AMENDED.

12/07/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

21. 101094 [Administrative Code - Child Care Centers for City Projects and City-Funded Private Projects]

Sponsors: Dufty; Alioto-Pier, Chiu, Mar, Maxwell and Campos

Ordinance amending the San Francisco Administrative Code by adding Chapter 29B to require a City agency, or a private developer that receives City funds for a development project, as defined, to prepare a feasibility study for providing an on-site child care center whenever it plans to construct or purchase a building, lease more than 50 percent of space in a private building for an initial term of more than one year, or alter more than 50 percent of the space in an existing building; adopting findings, including environmental findings.

12/07/2010; AMENDED.

12/07/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

22. 101095 **[Planning Code - Affordable Housing Program Exemption for Qualified Student Housing]**
Sponsors: Dufty; Campos
Ordinance amending the Residential Inclusionary Affordable Housing Program, Planning Code Sections 415 et seq. to exempt certain Qualified Student Housing Projects, as defined, if the project meets certain requirements; adding corresponding definitions to Section 401, and making findings including environmental findings.

(Economic Impact)

12/07/2010, AMENDED

12/07/2010, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

23. 100455 **[Environment Code - San Francisco Safe Drug Disposal Ordinance]**
Sponsor: Mirkarimi
Ordinance amending the San Francisco Environment Code by adding Chapter 22, Sections 2201 through 2211, to: require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources; provide for implementation, enforcement, fees, and penalties; and phase-in the application of the Chapter to non-prescription drugs and controlled substances; and making environmental findings.

(Supervisor Elsbernd dissented in Committee.)

10/26/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/26/2010; CONTINUED AS AMENDED ON FIRST READING.

11/23/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/23/2010; CONTINUED AS AMENDED ON FIRST READING.

12/07/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

24. 101148 [Visitacion Valley Infrastructure Fee Revenue Appropriation - Public Library and Department of Public Works for FY2010-2011- $2,385,068]
Sponsor: Maxwell
Ordinance appropriating $2,385,068 of Visitacion Valley Infrastructure Fee revenue from the Visitacion Valley Infrastructure Fund, including $2,169,200 in the Public Library for the Visitacion Valley Branch Library Project and $215,868 in the Department of Public Works, for the planning and design of utility undergrounding on Leland Avenue for FY2010-2011, and placing $1,156,304 on Controller's reserve in the Public Library pending receipt of Visitacion Valley Infrastructure Fee revenue

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 101444 [Accept and Expend Grant - Chinatown Broadway Streetscape Improvement Design Plan - $250,000]
Sponsor: Chiu
Ordinance authorizing the San Francisco Planning Department to accept and expend a grant in the amount of $250,000 from the California Department of Transportation, Division of Transportation Planning for the FY 2010-2011 Environmental Justice Grant for the Chinatown Broadway Streetscape Improvement Design Plan, and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of one (1) limited duration Job Class 5293 Planner IV, grant funded position (0.06 FTE), in the Planning Department.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 101446 [Accept and Expend Grant - Central Corridor Growth Strategy and Design Plan - $250,000]
Sponsor: Mayor
Ordinance authorizing the San Francisco Planning Department to accept and expend a grant in the amount of $250,000 from the California Department of Transportation, Division of Transportation Planning, for the CalTrans Community-Based Transportation Grant for the Central Corridor Growth Strategy and Design Plan, and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of one (1) limited duration Job Class 5293 Planner IV, grant funded position (0.15 FTE), in the Planning Department.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 100598 **[Real Property Lease - 238 Eddy Street]**
Resolution authorizing the Master Lease of the Windsor Hotel at 238 Eddy Street for the Department of Public Health (Real Estate Department)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

28. 101346 **[Airport Concession Leases - Lori's Diner, Andale, Meyers Holdings, and H. Young Enterprises]**
Resolution approving Amendment No. 1 to Domestic Terminals Food and Beverage Lease No. 03-0178 with Lori's Diner International; No. 03-0179 with Andale Airports; No. 03-0181 with Meyers Holdings, LLC; and No. 03-0188 with H. Young Enterprises, and the City and County of San Francisco, by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

29. 101374 **[Purchase Agreement - Subsurface Easements - Bay Division Pipeline Reliability Upgrade Project - Bay Tunnel - $650]**
Resolution approving and authorizing an Agreement for Purchase and Sale of Real Estate to obtain two permanent, exclusive, subsurface easements from Cargill, Inc., for the purpose of constructing the San Francisco Public Utilities (SF PUC) Commission Water System Improvement Program-Funded Project No. CUW36801, Bay Division Pipeline Reliability Upgrade - Bay Tunnel, for a purchase price of $650; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

30. 101375 **[Construction Management Services Agreement - San Francisco General Hospital Rebuild Program - Not to Exceed $16,400,000]**
Resolution authorizing the Director of Public Works to execute an amendment to a professional construction management services agreement for the San Francisco General Hospital Rebuild Program from $8,000,000 to $16,400,000. (Public Works Department)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

31. 101460 **[Airport Concession Lease - Melshire DFW, L.P.]**
Resolution approving the Terminal 2 Specialty Store Lease between Melshire DFW, L.P. dba Natalie's Candy Jar, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

32. 101461 [Contract Amendment - Sunol Valley Regional Construction Management Services - Water System Improvement Program Projects - Not to Exceed $19,000,000]

Resolution authorizing an amendment to the San Francisco Public Utilities Commission contract CS- 915R for Sunol Valley Regional Construction Management Services in the amount not to exceed $3,000,000, for a total agreement not to exceed amount of $19,000,000 to fund Construction Management Services for Bioregional Habitat Restoration actions required for various Water System Improvement Program Projects within the Sunol Valley Region, Alameda County, pursuant to Charter Section 9.118, and adopting findings pursuant to the California Environmental Quality Act. (Public Utilities Commission)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

33. 101462 [Contract Amendment - Peninsula Habitat Restoration Construction Management Services - Water System Improvement Program Projects - Not to Exceed $26,000,000]

Resolution authorizing an amendment to the San Francisco Public Utilities Commission Contract No. CS- 916 for Peninsula Regional Construction Management Services in the amount not to exceed $ 4,000,000, for a total agreement not to exceed amount of $26,000,000 to fund Construction Management Services for Bioregional Habitat Restoration actions required for various Water System Improvement Program Projects within the Peninsula Region, San Mateo County, pursuant to Charter Section 9.118, and adopting findings pursuant to the California Environmental Quality Act. (Public Utilities Commission)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

34. 101006 [Administrative Code - Revisions to Local Business Enterprise Ordinance]
Sponsors: Chu; Chiu

Ordinance amending Administrative Code Chapter 14B to increase minimum competitive amount for general services contracts to $400,000; to clarify ownership requirements for certification of local businesses with no single majority owner and make other clarifications to address certification of businesses under common ownership or with multiple locations; to clarify requirements for setting aside contracts under the mandatory Micro-LBE Set-Aside program; to exclude contracts under the threshold amount or minimum competitive amount from good faith efforts outreach and documentation requirements; to simplify and coordinate reporting requirements; to re-authorize the Treasurer to negotiate financial instruments in support of the Surety Bond and Financial Assistance Program after these provisions were inadvertently rescinded; and to make technical corrections.

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 101007 **[Administrative Code - Revising Requirements for Purchasing Goods and Services]**

Sponsors: Chu; Chiu

Ordinance amending Administrative Code Chapters 21 and 21C to conform Purchasing requirements to Administrative Code Chapter 14B by defining minimum competitive amounts of $100,000 for professional services and commodities contracts and $400,000 for general services contracts; clarify "bid-splitting," and make miscellaneous changes to City procurement requirements; to clarify information technology purchases; to update and conform references to Administrative Code Chapter 14B; to rescind the Sealer of Weights and Measures' authority under Section 21.32 to donate food purchases; to rescind the local tax adjustment set forth in Administrative Code Chapter 21C; to enact a new Section 21.32 to adjust bids likely to result in local sales tax revenue; to reenact and renumber Administrative Code Sections 21.25, 21.25-1, 21.25-2, 21.25-3, 21.25-4, and 21.25-x regarding prevailing wage requirements as Chapter 21C; and to make certain technical corrections.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 101091 **[Planning Code - Notice Requirement for "Other Entertainment Uses" in the Van Ness Avenue Special Use District]**

Sponsors: Alioto-Pier; Chiu

Ordinance amending the San Francisco Planning Code by amending Section 243 to require notice for "Other Entertainment Uses" in the Van Ness Avenue Special Use District, adopting findings, including findings under Section 302 of the Planning Code, environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 101449 **[Rehabilitation of Building 813 in the Hunters Point Shipyard Redevelopment Project Area - $7,258,890]**

Sponsor: Maxwell

Resolution making findings under Section 33445 of the California Health and Safety Code and consenting to the Redevelopment Agency of the City and County of San Francisco's payment of funds in the amount of $7,258,890 for the pre-development and rehabilitation of Building 813 in the Hunters Point Shipyard Redevelopment Project Area.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

38. 101472 **[Appointments, SOMA Community Stabilization Fund Community Advisory Committee - Conny Ford, Ada Chan, Allan Manalo, Judith Baker, and Thomas Temprano]**

Motion appointing Conny Ford, Ada Chan, Allan Manalo, Judith Baker, and Thomas Temprano, terms ending April 27, 2011 and April 27, 2012, to the SOMA Community Stabilization Fund Community Advisory Community. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

39. 101477 **[Appointment, Workforce Investment Community Advisory Committee - Sheryl Davis]**
Motion appointing Sheryl Davis, term ending February 19, 2012, to the Workforce Investment Community Advisory Committee. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 2:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to Board Rules 2.24 and 5.30.)

40. 101540 **[Public Hearing - Appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors]**
Hearing of persons interested in or objecting to proposed Motion either approving or rejecting the appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors. (Clerk of the Board)

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Committee of the Whole Adjourn and Report

(Only one of the following two motions should be approved.)

41. 101541 **[Appointment, Treasure Island Development Authority Board of Directors - Mark Dunlop]**
Motion approving the Mayor's appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors, for the unexpired portion of a four-year term ending February 26, 2012. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

42. 101542 **[Appointment, Treasure Island Development Authority Board of Directors - Mark Dunlop]**
Motion rejecting the Mayor's appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors, for the unexpired portion of a four-year term ending February 26, 2012. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 101353, approved November 2, 2010.)

43. 101354 **[Public Hearing - Resolution to Establish the Ocean Avenue Community Benefits District]**
Sponsor: Avalos
Hearing of persons interested in or objecting to proposed Resolution establishing a property-based business improvement district to be known as the "Ocean Avenue Community Benefits District," ordering the levy and collection of assessments against property located in that district for fifteen years commencing with FY2010-2011, subject to conditions as specified, and making environmental findings.

11/16/2010: CONTINUED.

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Committee of the Whole Adjourn and Report

44. 101355 **[Resolution to Establish the Ocean Avenue Community Benefits District]**
Sponsor: Avalos
Resolution establishing a property-based business improvement district to be known as the "Ocean Avenue Community Benefits District," ordering the levy and collection of assessments against property located in that district for fifteen years commencing with FY2010-2011, subject to conditions as specified, and making environmental findings.

11/16/2010: CONTINUED.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 101434, approved November 7, 2010.)

45. 101440 [Public Hearing - Ground Lease - Redevelopment Agency Land at 701 Golden Gate Avenue to Mary Helen Rogers Senior Community, LP]
Sponsor: Daly
Hearing of persons interested in or objecting to proposed Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block No. 768, Lot No. 13, commonly known as 701 Golden Gate Avenue, southwest corner of Golden Gate Avenue and Franklin Street, San Francisco, California in San Francisco's Western Addition neighborhood, to Mary Helen Rogers Senior Community, LP, a California limited liability corporation, for 70 years for the purpose of developing housing for very low-income senior households.

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Committee of the Whole Adjourn and Report

46. 101437 [Ground Lease - Redevelopment Agency Land at 701 Golden Gate Avenue to Mary Helen Rogers Senior Community, LP]
Sponsor: Daly
Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block No. 768, Lot No. 13, commonly known as 701 Golden Gate Avenue, southwest corner of Golden Gate Avenue and Franklin Street, San Francisco, California in San Francisco's Western Addition neighborhood, to Mary Helen Rogers Senior Community, LP, a California limited liability corporation, for 70 years for the purpose of developing housing for very low-income senior households

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 101465, Item No. 58.)

47. 101466 **[Public Hearing - Appointment of a Successor Mayor]**
Sponsor: Daly
Hearing to discuss the proposed Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Committee of the Whole Adjourn and Report

48. 101467 **[Appointment of a Successor Mayor]**
Sponsor: Daly
Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

(Pursuant to Board Rule 6.21.)

49. 101534 [Board of Supervisors Seniority]
Lottery to determine the seniority of the newly elected Members of the Board of Supervisors scheduled for the regularly scheduled Board Meeting of Tuesday, December 14, 2010, at 3:00 p.m., pursuant to Board Rule 6.21. (Clerk of the Board)

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, December 13, 2010, at 10:30 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 14, 2010.

50. 100761 [Environment Code - Restrictions on Pesticide Use]
Sponsors: Mayor; Alioto-Pier
Ordinance amending the San Francisco Environment Code by amending Sections 300, 301, 302, 303, 304, 305, 306, and 308, adding Section 310, and repealing Section 307, all to strengthen restrictions on the use of pesticides on City property, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. 101419 **[Environment Code - Cell Phones; Retailers' Duty to Disclose Specific Absorption Rate Values]**

Sponsor: Mar

Ordinance amending the San Francisco Environment Code by amending Sections 1103 and 1105, to require cell phone retailers to provide customers upon request with factsheets regarding Specific Absorption Rate values for cell phones and the use of cell phones; and to delay the enforcement date for certain provisions of the Chapter 11, the "Cell Phone Right-to-Know Ordinance," and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Budget and Finance Committee at a Recessed Meeting on Monday, December 13, 2010, at 1:000 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 14, 2010.

52. 101463 **[Settlement of Lawsuit - Lexington Insurance - City to Receive $2,750,000; Appropriating Settlement Proceeds]**

Ordinance authorizing settlement of the lawsuit entitled City and County of San Francisco v. Lexington Insurance Company, San Francisco County Superior Court Case No: CGC-10-498967 (Action), removed to United States District Court, N.D. Cal., Case No: 3:10-CV1-02188-SI, arising from an insurance coverage dispute involving a claims-made Designers and Construction (i.e., professional liability) Project Specific Professional Liability and Pollution Liability Policy issued by Lexington Insurance Company (Lexington) to the San Francisco Public Utilities Commission for the period February 1, 2002, to February 1, 2006, policy number 1152114 (Lexington Policy), calling for payment of $2,750,000 from Lexington to the City and County of San Francisco and including other material terms of said settlement: (1) Lexington will have no further obligations under the Lexington Policy and said policy shall be considered null and void and of no further force and effect; (2) San Francisco will defend and hold harmless and indemnify Lexington from and against any demand against Lexington made under the Lexington Policy; (3) all parties will execute a mutual release; (4) San Francisco will execute and file a dismissal of all claims with prejudice; (5) the City and Lexington each shall bear its own legal costs and fees arising from this action; and appropriating the full proceeds from the settlement to fund the San Francisco Public Utilities Commission's attorney fees and legal expenses related to certain pending litigation matters. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

53. 101259 **[34th America's Cup Host City Agreement and Finding of Fiscal Feasibility]**

Sponsors: Mayor; Chiu, Mirkarimi, Alioto-Pier, Chu, Dufty and Maxwell

Resolution approving a Host City and Venue Agreement among the City, the America's Cup Event Authority and the San Francisco America's Cup Organizing Committee; authorizing the Mayor or his designee and the Port to execute the Host City and Venue Agreement; authorizing and urging the Mayor, Office of Economic and Workforce Development, Port and such other City Officials as appropriate to take such steps and execute such additional agreements as are consistent with the Host City and Venue Agreement and this Resolution to bring the 34th America's Cup to the San Francisco Bay; and finding that the proposed Event is fiscally feasible as set forth in Administrative Code Chapter 29.

(Economic Impact, Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

54. 101488 [Assessment Ballots for City Parcels to Form the Proposed Civic Center Community Benefit District]

Sponsor: Mayor

Resolution authorizing the Mayor to cast ballots in the affirmative on behalf of the City and County of San Francisco as owner of 11 parcels of real property over which the Board of Supervisors has jurisdiction, where those parcels would be subject to assessment in the proposed property and business improvement district to be named the Civic Center Community Benefit District.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, December 13, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 14, 2010.

55. 100041 [Public Works Code, Administrative Code - Personal Wireless Service Facility Site Permits and Associated Fees]

Sponsors: Avalos; Campos and Mar

Ordinance amending the San Francisco Public Works Code by: (1) adding Article 25, Sections 1500 through 1528, to establish new requirements for Personal Wireless Service Facility Site Permits and to increase certain fees for obtaining such permits. (2) amending the San Francisco Administrative Code by amending Chapter 11, Article 1, Section 11.9, to eliminate obsolete provisions related to such permits, (3) making the provisions of the ordinance retroactive, and (4) making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

56. 100495 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice]

Sponsor: Alioto-Pier

Ordinance amending Administrative Code Chapter 31 to provide for appeals to the Board of Supervisors of certain environmental documents and determinations under the California Environmental Quality Act, to clarify procedures and to provide public notice of environmental documents and determinations.

Question: Shall this Ordinance be PASSED ON FIRST READING?

57. 101247 [Planning Code - Update the Visitacion Valley Community Facilities and Infrastructure Fee and Fund]

Sponsor: Maxwell

Ordinance amending the San Francisco Planning Code by amending Sections 420.1 through 420.5 to update the Visitacion Valley Community Facilities and Infrastructure Fee and Fund and to conform the program with other Area Plan fee programs; making conforming changes to Sections 401 (definitions) and 406 (waiver, reduction, or adjustment of development project requirements); and making findings, including environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 58 through 66

58. 101465 **[Committee of the Whole - Public Hearing to Take Nominations and Appoint a Successor Mayor in the Event of a Vacancy in the Office of the Mayor]**
Sponsor: Daly
Motion that the Board of Supervisors convene as a Committee of the Whole on December 14, 2010, at 3:00 p.m., to discuss the proposed Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

11/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/23/2010; AMENDED.

11/23/2010; CONTINUED AS AMENDED.

12/07/2010; AMENDED.

12/07/2010; CONTINUED AS AMENDED.

Question: Shall this Motion be APPROVED?

59. 101528 **[Condemning Anti-Italian Remarks at the Planning Commission]**
Sponsor: Alioto-Pier
Resolution condemning remarks of Commissioner Hisashi Sugaya that deeply offended members of the Italian-American community, and urging members of City boards and commissions to treat members of the public with respect.

12/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

60. 101529 **[Supporting the KPFA Morning Show]**
Sponsors: Avalos; Campos, Mar and Mirkarimi
Resolution expressing concern about recent layoffs of the KPFA Morning Show staff and urging Pacific Radio, KPFA's local board, the staff members and their union to find a solution to the current programming crisis.

12/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

61. 101530 **[Tax-Exempt Revenue Obligation Bonds - the San Francisco School - Not to Exceed $5,000,000]**
Sponsor: Campos
Resolution approving the issuance of tax-exempt revenue obligation bonds by the California Enterprise Development Authority in an aggregate principal amount not to exceed $5,000,000 to finance and refinance various capital facilities owned by the San Francisco School.

12/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

62. 101531 **[Application for Mortgage Credit Certificates]**
Sponsor: Chu
Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

12/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

63. 101532 **[Accept and Expend Grant - Daraja Academy Project - $16,000]**
Sponsor: Chu
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $16,000 from the San Francisco Foundation's donor advised "Do a Little Fund" for the Daraja Academy Project. (Arts Commission)

12/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

64. 101533 **[Accept and Expend Grant - Environment Now - $10,000]**
Sponsor: Mar
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $10,000 from the Altamont Education Advisory Board to support Environment Now, an environmental stewardship and workforce development program. (Environment)

12/07/2010: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

65. 101501 **[Final Map 5461 - Hunters View]**
Motion approving Final Map No. 5461, a 5-lot subdivision for condominium purposes, being a 219 unit residential condominium project; approving a Public Improvement Agreement related to the Final Map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Hunters View Development Documents. (Public Works Department)

12/07/2010: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

66. 101525 **[Committee of the Whole - Public Hearing to Establish the Civic Center Community Benefit District]**
Sponsor: Mayor
Motion directing the Board of Supervisors to hold a public hearing on January 4, 2011, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting a Resolution to establish the Civic Center Community Benefit District.

12/07/2010: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

67. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from November 30, 2010, to December 6, 2010, for reference by President to appropriate committee on December 14, 2010.

101502 **[Professional Services Agreement - Terminal 2/Boarding Area D Renovations - Not to Exceed $16,850,000]**
Resolution approving Modification No. 5 to the Professional Services Agreement for Construction Management Services for Terminal 2/Boarding Area D Renovations and Related Facilities in the amount of $1,710,000 for a new total contract amount not to exceed $16,850,000. (Airport Commission)

12/01/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101503 **[Airport Concession Lease - Books, Inc.]**
Resolution approving Amendment No. 2 to North Terminal Bookstore Lease No. 00-0176 between Books, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

12/01/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101504 **[Airport Concession Lease - Museum of Modern Art]**
Resolution approving the International Terminal Museum/Gallery Store Lease between San Francisco Museum of Modern Art and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

12/01/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee

101505 **[Purchase Agreement - Permanent Access Road Easement - Stanislaus County - $13,000]**

Resolution (1) approving and authorizing an agreement for the purchase of a permanent access road easement totaling 2.16 acres over portions of Assessor's Parcel Numbers 016-002-017, 016-002-018 and 016-002-44 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 for a purchase price of $13,000; (2) adopting findings under the California Environmental Quality Act; (3) adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and (4) authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

12/02/2010, RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101506 **[Master Lease - Hotel Le Nain at 730 Eddy Street]**

Resolution authorizing the Master Lease of the Hotel Le Nain at 730 Eddy Street for the Department of Public Health. (Real Estate Department)

12/06/2010, RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101521 **[Petitions and Communications]**

Petitions and Communications received from November 30, 2010, through December 6, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on December 14, 2010.

From concerned citizens, submitting support for closing the recycling center next to Kezar Stadium. File No. 101491, 17 letters (1)

From Edwina Smith, submitting support for the Safe Drug Disposal Ordinance. File No. 100455 (2)

From Department of Elections, submitting the November 2, 2010, Consolidated General Election Certification of Election Results. Copy: Each Supervisor (3)

From concerned citizens, submitting support for the recology plan to transport San Francisco's landfill by rail to the Ostrom Road facility in Yuba County. File No. 101225. Copy: Budget and Finance Committee Members and Clerk, 3 letters (4)

From Larry Monast, regarding developers using the Ellis Act to evict tenants in San Francisco. Copy: Each Supervisor (5)

From Tom Scharffenberger, urging the Board of Supervisors to close Sharp Park golf course and restore endangered species habitats. (6)

From Teresa Welborn, submitting copy of letter sent to the SF Apartment Association regarding the Haight Ashbury Neighborhood Council's Recycling Center and Native Plant Nursery. File No. 101491, Copy: Each Supervisor, City Operations and Neighborhood Committee Clerk (7)

From Office of the Controller, submitting its audit report on Crystal Springs Golf Partners lease with the Public Utilities Commission. (8)

From Edward Morris, submitting copy of proposal sent to U.S. Senators McCain and Feinstein to suspend the Passenger Vessel Services Act of 1886. Copy: Budget and Finance Committee Members and Clerk (9)

From Public Utilities Commission, submitting amendments to the "Rules for Water Efficient Irrigation." File No. 101079, Copy: Each Supervisor (10)

From Department of Public Health, submitting the Mental Health Services Act Five Year Report. (11)

From Department on the Status of Women, urging the Board of Supervisors to support the proposed legislation to increase convictions of perpetrators of sexual assault. File No. 101349 (12)

From Andrew Zollman, regarding violations of the California Retail Food Code's prohibition on live animals at the Heart of the City Farmers' Market in U.N. Plaza. (13)

From Office of the Mayor, returning the Healthcare Services Master Plan legislation unsigned. File No. 101057, Copy: Each Supervisor (14)

From Cal Tilden, submitting opposition to an "out of state" contractor/operators entering into an agreement/lease with Stow Lake Boathouse, LLC, for the operation of the Stow Lake Boathouse Concession Management of the Harding Park Golf Course. File No. 101416 (15)

From concerned citizens, submitting opposition to the current proposed Master Plan for St. Luke's Hospital and the new Cathedral Hill Facility. 2 letters. (16)

From Emily Murase, submitting support for proposed legislation to amend the Administrative Code by adding Chapter 29B that would likely increase the number of childcare centers in San Francisco. File No. 101094. (17)

From Office of the Mayor, submitting the appointment of Florence Kong to the City Hall Preservation Advisory Commission. Copy: Each Supervisor, City Attorney, Rules Committee Clerk. (18)

From Office of the Mayor, submitting the appointments of Karl Hasz, Richard Johns and Andrew Wolfram to the Historic Preservation Commission. Copy: Each Supervisor, City Attorney, Rules Committee Clerk. (19)

From Office of the Mayor, submitting the appointment of Leona Bridges to the Municipal Transportation Agency Board of Directors. Copy: Each Supervisor, City Attorney, Rules Committee Clerk. (20)

From Office of the Mayor, submitting the appointment of Leslie Katz to the Port Commission. Copy: Each Supervisor, City Attorney, Rules Committee Clerk. (21)

From Office of the Mayor, submitting the appointment of Vince Courtney to the Public Utilities Commission. Copy: Each Supervisor, City Attorney, Rules Committee Clerk. (22)

From Office of the Mayor, submitting the appointments of Harry Kim and Herb Cohn to the Relocation Appeals Board. Copy: Each Supervisor, City Attorney, Rules Committee Clerk. (23)

From San Francisco Tomorrow, submitting support for the recycling center at its present location next to Kezar Stadium. File No. 101491, Copy: Each Supervisor, City Operations and Neighborhood Committee Clerk. (24)

From concerned citizens, urging the Board of Supervisors to take action to overturn the sidewalk sitting ban. Approximately 140 letters. (25)

From Office of the Controller, submitting its audit report on the Airport Commission's monitoring and billing of airline landing fees and concession tenant rents and fees. Copy: Each Supervisor. (26)

ADJOURNMENT